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"THE POWERS THAT BE."

CIVIL GOVERNMENT

IN THEORY

AND PRACTICE.

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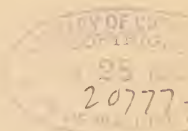
Civil Government in Theory and Practice.

BY W. I. CHASE.

A COMPARATIVE REVIEW OF EXISTING GOVERNMENTS,
THEIR ORIGIN AND HISTORY, AND CHIEF POINTS
OF LIKENESS AND UNLIKENESS TO THE
GOVERNMENT OF THE UNITED
STATES.

Prepared for Use in Schools.

CHICAGO:
W. I. CHASE,
SCHOOL HERALD OFFICE,
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P R E F A C E.

When in the course of human events it becomes necessary to preface a book with a statement of its purpose, and the motives which led to its composition, first by the author and afterwards by the printer, the author should not, I think, be put too strictly upon his honor to tell the truth, the whole truth and nothing but the truth. That an author writes for his own pecuniary profit, no one in this age is disposed to deny, but the reasons which induced him to treat of this rather than that—to choose (with Mr. Wopple) pork, rather than pickles as the text of his discourse, are manifold. Perhaps as plausible a statement as any would, in eight cases out of ten, be this: “The following facts were brought my attention. I found them interesting to me, and fancied they might be of interest to others. Hence I accumulated them.”

As to the utility of the book, I hope it may be studied by every class in civil government, and believe that enlarging the scope of the study will not only not interfere with the consideration of our state

and federal constitutions, but will add to the pupil's understanding and appreciation of the methods and purpose of our government of the people, by the people and for the people.

W. I. CHASE.

OFFICE SCHOOL HERALD,
Chicago, Ill.

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THE POWERS THAT BE.

A Comparative Study of the Theory and Practice of
Civil Government.

PART I.

INTRODUCTORY.

1. Definition.—The word government, as commonly used, has several shades of meaning. As the substantive of the verb to govern, it means the act of governing, as the government of a people by a ruler. In considering the way in which the act of governing is habitually performed, we use the word government to signify the mode of governing, as when we speak of forms of government, a republican government, etc. By metonymy, also, we use the word to denote (1) the person or persons authorized to govern, and (2) the nation itself, including both rulers and ruled. Thus we speak (1) of persons rebelling against the government or of the government and the opposition, and (2) of the European governments, *i. e.* the powers,—the nations themselves, including their rulers.

Before speaking of the existing forms of government, we will consider (1) the origin, and (2) purpose of gov-

1. Define the word government Give example of the use of the word in each of its senses.

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CIVIL GOVERNMENT

ernment, and (3) the causes which create differences in its form.

2. Origin or Basis.—The origin of government was, undoubtedly, the power of the ruler to maintain authority, and this may be considered the basis of government at the present time; but since mankind do not differ widely in strength, no ruler can long maintain himself in power without the consent of at least a portion of his subjects. The will of the people may be reckoned a necessary element of their ruler's power to govern, but it is not accurate to say that the right to govern depends on the consent of the governed. For if the people are careless or indolent, not knowing what they want, or lacking in energy to enforce their demands, the force of the ruler will overpower their feeble resistance, and they will be practically slaves by what we call their passive consent, however they may murmur against their enslavement.

3. Object or Purpose.—The object of government, apart from the glorification of the ruler, is, first, the establishment and administration of law. The maintenance of the various personal and property rights of individuals demands that each disputed case shall be adjusted according to fixed principles, which apply to all cases alike. These principles are formulated into laws. To enact these laws and see to their execution is the first recognized object of government. But beside the maintenance of social order, a government is necessary to a nation to attend to its relations with other countries, and to provide for its defense in case of war.

4. Cause of Variations in Form.—The two forces which directly shape the form of government

2. Upon what is all government based? How far is the consent of the governed essential?

3. What are the recognized purposes of a system of government?

are the wisdom or caprice of the governing power and the consent of the governed. Indirectly so many elements enter into the formation of a system of government that it has been questioned whether forms of government were really a matter of choice,—whether the “powers that be” were not really “ordained of God” in the sense that all growths are ordered by Him. Whether, indeed, systems of government do not grow up, adapting themselves to the natures, wants, and circumstances of a people, so that changes of the form of government are not merely dangerous experiments, but self-evident blunders.

To a certain extent it is, of course, true that the form of government is adapted to the people, but when by enlightenment or deterioration the wishes of the people with regard to their form of government change, an alteration of that form becomes practicable. Thus when the Jews wearied of the government of judges they demanded a king, to go before them to battle, and Samuel, warning them of the probable consequence of the change, anointed Saul. The Romans banished their royal family and established a government by consuls. France has three times banished her monarch and established a republic. The difficulty with which this was done shows the desirability of adapting the government to the customs and traditions of the people, but the success of the third French republic proves that it is possible to make a radical change in the government of a nation, if the new one is tried long enough to engage the allegiance of the people.

Political institutions are the work of men, and are altered or amended by men, and hence, are well or ill made according as judgment and skill have, or have not, been used in their production. But, on the other hand, political institutions are not only made but they must be conducted and sustained by men. The people

may be averse to a form of government or they may be simply unwilling to take the trouble to maintain it after they have chosen it.

"Thus," remarks John Stuart Mill, "a people may prefer a free government, but, if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if by momentary discouragement or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions; in all these cases they are more or less unfit for liberty; and though it may be for their good to have had it, even for a short time, they are unlikely to long enjoy it."

Further, he notes, that when the people are too impulsive or self-willed to endure the restraints and await the action of the laws, or when they side with the criminal as against the authorities, they are in a measure unfit for free government; or when being entrusted with the suffrage, they sell their votes or cast them from corrupt or partisan motives, they are in danger of being cheated out of their liberties.

But though the general character of the government depends much upon the temper of the people, its details are usually invented by the rulers, or adapted from the institutions of other nations.

5. Forms of Civil Government.—Civil government—civil from *civis*, a state—means the government of a state in its normal peaceful condition, as opposed to the more despotic mode in which an army is ruled.

4. What two forces directly shape the form of government? What is said of the growth of political systems? How far are these systems a matter of choice? Why must these be adapted to the nature and habits of the people? What dangers threaten the liberties of a people?

Forms of government are usually classified as monarchical, aristocratic, or democratic. Two other forms are sometimes given, namely, patriarchal and theocratic, but these are now obsolete, if, indeed, they ever existed as forms of state government. We should, however, remember that this classification of governments is highly arbitrary, and we must expect to find as distinct differences between members of a class as between the classes themselves. It is much as if we classified animals by their colors. We might better use the terms monarchy, aristocracy and democracy to signify qualities rather than generic distinctions, and so doing we shall find use for a fourth class—bureaucracy.

6. Definition of Terms.—Monarchy, pure and simple, means government by a single ruler, whether he be styled king, prince, emperor, pope, sultan, pasha, or bey, or simply dictator *pro tempore*; whether he obtained his place by inheritance, election or appointment; whether his government professes to be legal or arbitrary, so long as he singly discharges the functions of government, he is a monarch. An aristocracy signifies a government by a class neither elected nor appointed; it is usually understood to imply a titled or hereditary nobility, but a high educational or property qualification for the suffrage would create an aristocracy fully entitled to the term. Democracy implies a government by the people—not necessarily directly, which is possible only in small colonies or towns. An absolute democracy means a government by the untrammelled will of the majority. A bureaucracy denotes a government by an appointed class. It is found in its purest

5. What is civil government? What is the usual classification of forms of civil government? Do these terms denote different kinds of government, or different features of similar forms?

6. What is a monarchy? Define aristocracy, democracy, bureaucracy.

state in the government of colonies and provinces, and forms an important element in all governments.

7. Purity and Extent.—The kinds (or qualities) of government are monarchy, aristocracy, democracy, and bureaucracy. These are to be reckoned pure or impure according as they exist separately or intermingled one with another, and absolute or limited according to the degrees of power they wield.

8. Limitations of Power.—Governmental powers are limited in one or both of two ways: by the establishment of a fundamental or organic law; *i.e.*, a constitution, or by the division of powers. As to constitutions, there are various modes of framing, establishing, and altering or amending them, but, however framed, they are checks upon the discretionary power of the government, and are usually the result of compromise between governor and governed. Divisions of power are made (1) horizontally (as we may say) in forming local and general governments, and (2) vertically, by the classification of co-ordinate powers.

9. Co-ordinate Powers.—Theoretically, three divisions are made of the powers of government, though in practice the distinctions are by no means always observed. These are the lawmaking, or legislative, the law interpreting and applying, or judicial, and the law executing, or executive, powers of government. Under free governments, these powers are usually entrusted to different departments, and this division of power is often insisted upon as necessary to liberty and good government. The Massachusetts bill of rights expressly forbids the wielding of powers belonging to one department by persons in charge of another department, and gives, as a reason, "that this may be

7. As applied to political forms, what does purity signify? What extent?

8. How are the powers of government usually limited? How may the powers of government be limited by division?

a government of laws and not of men." But, in practice, it is found necessary to leave a large share of the law applying power in the hands of the executive, to make the executive officers who enforce the decision of the courts, answerable to the courts themselves, and to let the legislature share a portion of the responsibility.

This inconsistency to the letter is really consistent with the spirit of the theory of separate responsibilities, for by it each department is made, in a measure, independent of the others, and is, at the same time, debarred from controlling them. The only powers of interference granted, are the power of impeachment usually wielded by the legislative body, and the veto power pertaining to the chief magistracy. In some cases, too, the legislature has a share in electing the chief magistrate, and it nearly always has the power to make or or refuse appropriations. Both of these powers imply a measure of control. A still further degree of control is exercised by the legislature in those states in which the cabinet, or council, of the executive is, by law or custom, "responsible" to a majority of the house of representatives.

All independent states have autonomous (or self-governing) powers, and sovereign (or treaty-making) powers. Dependent states have autonomous powers (more or less complete) but have no power to make treaties. These powers are properly co-ordinate, but may be wielded by the same branches of government.

10. Supreme and Subordinate Powers.—In dividing the duties of government between local, provincial and national systems, many cases arise in which laws conflict and one side or the other must give way. The degree of concession to be made on each side, and

⁹ What is said of co-ordinate powers? What of the theory and practice of this mode of division? What of the classification into autonomous and sovereign powers?

the points on which each system shall remain supreme, is usually fixed by mutual agreement in the shape of a constitution or organic law. Thus, in the United States, the federal constitution, and the laws made in pursuance thereof, are accepted as the supreme law of the land, because they expressly confine themselves to questions of national interest, on which point it is agreed that merely local judgment or feeling shall give way. In like manner, nearly every country has a national and local system of government, the national government being supreme in some respects, and being debarred from interference in matters of local importance.

II. The Constitution.—The purpose of a constitution is to restrict the will of the party in power, and in the interest of consistency, justice and dignity, to prevent violent changes in the government. It also serves to fix the limits of authority in the co-ordinate branches of the government, and to prevent conflicts of jurisdiction between the local and the general government systems.

The basis of the constitution, like the basis of all government, is power, and it may be said to rest on the will of the strongest party in the state, whether that party be the people or the crown. As to origin it is sometimes framed by the people for themselves, and sometimes granted by an autocratic monarch, either in response to a popular demand, or of his own free will; or again, it may be like the English constitution, established by precedent in a long continued series of struggles and agreements between crown and people.

The constitution, if written provides for its own

10. Describe the division of government into supreme and subordinate branches? By what is the joint action of these systems regulated?

11. What is a constitution, and what is its purpose? What is said of its basis? Of its origin? Of its amendment? Of its dissolution?

amendment, and it may be wholly set aside, either by general consent in adopting a new one, or by revolution.

12. The Legislative Power.—If there be no constitution, laws are established by a decree of the sovereign, but in constitutional countries, there is always a legislative body, consisting of one or more chambers, whose duty it is to prepare and adopt laws. Even under despotisms a legislature is formed, usually by appointment, to frame and discuss the measures to be afterward promulgated by autocratic decree. Generally speaking, legislatures consist of deputies elected by the people, though the upper house often contains members by hereditary right, or by appointment of the crown.

13. The Judicial Power.—The essence of law is that it should be general in its application, and that it should not be framed to meet a particular case. The interpretation and application of laws are, therefore, usually entrusted, not to those who make and amend them, but to an entirely different class, bound by custom and precedent to give consistent and impartial judgment as to the effect of new laws on the great body of laws already existing. Hence, a judicial department of government is established, in order that when local courts do not interpret the law satisfactorily, appeal can be made, not to the law-making body, but to a separate department, a supreme court, trained to take all laws and interest into consideration, and give a just and final decision of the point in question.

14. The Executive Power.—The courts interpret and apply laws only in those cases which are brought

12. How are laws established under despotism? Under constitutional governments.

13. What is the purpose of a judicial branch of the government? Why is it usually distinguished from the legislature?

before them by disputes between citizens, or between citizens and the government. By far the greater part of the administration of government consists in carrying out laws whose meaning is not a subject of dispute. These are the executive or administrative duties of government, and are entrusted to a department entirely distinct from the legislature or the supreme court.

15. The Chief Magistrate.—Over all three departments, but most intimately connected with the executive, is the head of the government, the chief magistrate. In him are vested numerous powers that pertain to sovereignty, either in his own right or as representative of his people. Over the law-making body he has usually the right of veto, or the right to dissolve the legislature and call for a new election. Over the judiciary he exercises the power of appointment of judges, and the pardoning power. Over the executive department he has supreme control, both in the matter of appointment and administration. Outside of the autonomy of the State, he has the power to negotiate treaties and superintend his country's relations with foreign nations, and the right generally to appear and speak as the representative of his government.

So much for the general principles to be observed in the study of civil governments. We will now proceed to examine the governments as they actually exist.

14. What are the duties of the executive department of government?

15. What is said of the chief magistrate as connected with the executive department? As distinguished from it?

PART 2.

SOVEREIGN STATES.

CHAPTER I.

FORMS OF GOVERNMENT.

16. **Criterion.**—The generally accepted criterion of a good form of government, is its ability to maintain order and establish justice, while at the same time promoting, or at least not cramping, the mental growth of the people. This is the only test that seems to have a utilitarian basis ; other tests there are, but they are founded on a quasi-divine right to rule, of the people or prince, as the case may be. But the test given, to be effectual, must be complete in its application. It is not sufficient that a government keep order, nor even that it be also well administered. Pope's couplet,

“For forms of government let fools contest,
What e'er is best administered, is best,”

and Tennyson's demand for a “still, strong man, in a blatant land,” are both based on a misconception of the true interests of the people. A prime requisite of good government is that it should be sustained by the hearty co-operation of the people, and this can only be secured by the political education of its subjects. This political education can only be insured by the participation of the people, through their representatives, in the duties of government, and, generally speaking is possible only in such case. The emperor of Russia, for instance, dares not permit the education of his peo-

ple in the theory of government, by free discussion, because this would lead directly to a public agitation, for the purpose of restricting the powers of the Russian autocracy. A people wise enough to co-operate intelligently with a despotism, are wise enough to dispense with it. On the other hand, it is quite necessary that there should be a basis of power, to prevent violent interruptions in administration, and until the people are sufficiently educated to resist illegal reform movements, an established chief magistracy is decidedly a blessing. The Spanish American republics are a case in point. The desire for place and power, and the impatience with administrative mistakes, which in these republics lead to revolution, in Brazil for instance, merely result in a change of ministry. The advantage is obvious.

17. Sovereign and Autonomous States.—States or governments internationally considered, are sovereign or autonomous. If a state is independent of other governments, it is styled sovereign. If one state establishes a protectorate, or suzerainty, over another state, the former is suzerain and the latter dependent. The extent of the suzerain power varies greatly in different cases; a dependent state has no power to make war or peace, and, generally, no power to negotiate treaties, though occasionally it is allowed to form commercial agreements, or alliances. Another way in which a state may lose its sovereignty, is by entering a federation, and delegating its sovereign power to a central government.

Sovereign, here, has nothing to do with the autonomy or self-government of a state. The term has been applied to the states of the American Union, but evidently in a different sense from that in which we here use

16 What is the criterion of a good form of government? How may order be maintained at the expense of progress? Can a people be too free as to their choice of government?

it. The federal government represents the United States internationally, and hence is a sovereign state or nation. In the same way, the tycoon's government in Japan was, before the revolution of 1869, sovereign, the mikado's rights to the contrary notwithstanding. In the autonomy of the United States of America, there is neither suzerain nor dependency (barring the territorial governments), but a federation of states of equal dignity, under a general government of strictly defined powers. This is true, in theory, of all federations, but in practice the smaller states often sink to the position of virtual dependencies.

18. Federations.—It is often to the interest of states to form a federation or union, and establish a general government, both to represent them in their relations with foreigners, and to discharge those duties that concern the union as a whole, rather than any particular section of it. In these cases, the powers of the general government are supreme in international affairs, but limited in internal administration. The federations of the world are the republics of the United States, Mexico, Colombia, Venezuela, the Argentine Confederation, Liberia and Switzerland, and the empires of Germany and Austria-Hungary; also, perhaps, the kingdom of Sweden and Norway, which has the same monarch, but is governed by separate constitutions and legislatures.

All countries of any size are subdivided into provinces, with councils possessing legislative powers more or less independent and complete; but these differ essentially

17. What is a sovereign state? What an autonomous state? What is a federation? Is it sovereign or autonomous? What is a component state? What a suzerain state? What a dependency? Which of these is sovereign? Give instances in each case.

18. Why are federations formed? Name some of them. How do they differ from ordinary general and provincial governments?

from federations, in that the original power in them is vested in the national government, and not in that of the component states.

CHAPTER II.

THE UNITED STATES OF AMERICA.

19. Our Federal System.—The national government under which we live is a good example of a federation, first, because it has tested two forms of federal union, and settled on the only one that ever proved efficacious; and second, because it has, without materially altering its constitution, extended the union to cover twenty-five new states. If a conquering nation, like ancient Rome, should admit its new provinces to a share in the administration of the empire, or if England should give her colonies proportionate representation in parliament, we would recognize the hazardous nature of the experiment. The fact that the settlers of the western states have generally been, in race, nature and political habits, similar to the people of the original colonies—or if not so similar, have usually lacked political traditions—enabled our institutions to stand a test, which, under different circumstances, it were folly to apply.

20. Federal Organization.—There are two different modes of organizing a federal union. The federal authorities may represent governments solely, and their acts may be obligatory only on the governments as such; or they may have power to legislate for the people individually, and to execute or enforce their laws by distinct administrative machinery. The former plan was tried in the German confederation, in Switz-

10. Under what federal government do we live? Why is it a good example of this form of government?

erland previous to 1847, and in this country from 1781 to 1788, and in all three cases it was discarded as weak and defective. The powers of a central government, which relies on the voluntary action of the state government to execute its laws, are virtually restricted to giving advice which the states can follow or not as they please. Foreign nations hesitate to address a government so evidently a mere agent of other parties, preferring to deal directly with the principals, the component states themselves.

In local affairs, the federal congress, having no power to coerce the state governments, could only entreat them to enforce the national laws. If the particular laws in question were distasteful to the people of the state, they would in all probability be ignored. Sometimes, as in the present German empire, one state may be so large and powerful that other states cannot afford to offend it, and this state then identifies itself with, or supplies the place of, the central government, but this is obviously contrary to the purpose of federations, i. e., to preserve rather than to destroy, the individuality of minor states. Moreover, unless the strong state be overpoweringly superior, such a condition of affairs is more likely to provoke civil war, than to strengthen unity or maintain peace.

The second method of organizing a federation is that adopted by the United States in 1788, by Switzerland in 1808 and Germany (to some extent at least) in 1870.

Within the powers granted by the constitution, the federal government is empowered to make laws for the guidance of individuals, and to enforce these laws by means of its own officers and its own tribunals.

20. What are the two modes of organizing a federal system? What countries have tried and discarded the league principles of union? Why? What sometimes supplies the place of a strong central government? Describe the second mode of federal organization.

Whenever state and federal laws conflict, the latter, if in accordance with the constitution, are supreme, and the former are set aside. Of such nature is the American union.

21. Formation and History of the Union.—The first league or confederacy formed by the American colonies, was the continental congress of delegates, first convened in September, 1774. This was an extra-legal body, of no authority, except as its act was enforced by the colonies. The colonial governments, formed under charters from the British crown, became, by successful rebellion, sovereign states, but the exigencies of war had already forced them into a league. The same congress which drafted the declaration of independence, drafted at the same time, "articles of confederation and perpetual union" between the colonies, and the league was assented to by most of the colonies through their representatives in 1778, and by the others in 1779 and 1781. But after experiencing two years of war and six years of peace under this compact, popular opinion turned in favor of a central government, with more extended and effective powers. A convention was then held and our present form of government agreed upon; the constitution was drawn up, and being submitted to popular vote, was duly ratified by the people of the several states. The original form has been, in some of its details, slightly modified by the constitutional amendments, twelve of which were adopted by three fourths of the states, during the first fifteen years of our national existence, and the other three adopted after the civil war of 1861-65.

22. How Composed.—Under the articles of confederation the central government comprised but one

21. When and why was the first league of the American colonies formed? When were the articles of confederation adopted? Why were they not satisfactory? What change was made?

department, the legislative, and made no pretense to executive or judicial power. By the constitution, the government is entrusted to three separate authorities, the executive, the legislative, and the judicial. The executive power is vested in a president, who, together with a vice president, is elected for four years by the states, through special electoral colleges. Each one of the thirty-eight states has the right to appoint, in any manner it pleases, as many electors as it has representatives in congress, and these electors, meeting in their respective states, form the "colleges," and cast their votes for president and vice president. As they are considered bound to vote for their party candidates, the election may be regarded as the direct act of the people of the several states.

The legislative power is vested in a congress, consisting of a senate and house of representatives. The senate, of two members from each state, is chosen for six years by the state legislatures. As one-third of the senatorial terms expire every other year it follows that the senate has always a two-thirds' membership, and hence is always in office.

The house of representatives is chosen in direct election by the popular vote of the states, which are given representation according to their population. The election is for two years; at the end of that period the "congress," as it is called, expires, and a new election is held.

The judicial power of the government is vested in one supreme court of (at present) nine judges, and in such inferior courts as congress from time to time sees fit to establish. So far these inferior courts are the

22. How does the present form of government differ from that under the confederation? What are the departments of government and to whom are they entrusted? How is the president selected? The senate? The house of representatives?

circuit and district courts only, but an intermediate appellate court is projected. These tribunals are organized under act of congress, and the judges are appointed by the president with the consent of the senate.

23. Sphere of the Government.—In transactions with foreign powers the authority of the federal government is, of necessity, complete; and as it is this completeness of sovereign power that makes a nation, our central government has always been truly national in the sense of representing a single people; but in internal affairs, the government did certainly receive an increase of imperial authority from the adoption of the constitution and its amendments. These powers extend to the making of such arrangements as are, in the opinion of the states, necessary to their enjoyment of the full benefits of Union. The federal congress is given exclusive power to impose duties on imports, to regulate naturalization and bankruptcy, to coin money, establish post offices and routes, and to grant copyrights and patents, because in all these cases there is an evident need of uniformity in the law. Other powers are granted to the central government as arbiter between the states, such as the power to regulate interstate commerce, and to control national highways whether by water or by land, and the survey and sale of the public lands. A further extension of the right to legislate for national highways is the right to make and improve roads and canals, and to dredge and deepen navigable rivers and harbors, in the different states, at the cost of the whole country.

24. Extension of Imperial Power.—The powers of the central government have been greatly ex-

23. What class of powers are granted to the federal government? With what object?

tended during the last quarter of a century. This extension has come about partly through the abnormal influence of the war, but principally through the working of natural causes. It is observable in the growth of empires, that a strong central government tends to strengthen itself by absorption of the rights and privileges of the component states. The states in their disputes and quarrels, appeal to the arbitration of the central government, and hence are driven into championing the rights of the arbiter to interfere in behalf of justice. The weaker party in each state is also ready with its appeal, so that the central government soon comes to be credited with virtues to which it cannot justly lay claim. The growth of the kingdom of France has been cited as a conspicuous example of this tendency to centralization, and the extension, or rather the maintenance, of the suzerain powers of the Turkish porte, is largely due to the same causes. In this country the southern Republican appeals to the federal power for protection against his Democratic fellow citizens, the farmer or merchant makes a similar appeal as regards railroads and other monopolies, and, last but not least, each poverty-stricken district appeals for federal aid to improve its rivers and harbors and otherwise facilitate (not regulate) its commerce with the world at large. Under these circumstances, the only wonder is that the integrity of state rights has not been further impaired. For this we have to thank the judicial department of the government, which is the final judge of the extent of the powers conferred.

25 The Guardian of the Constitution.—Under a duplex form of government, where each citizen owes allegiance to both state and federal authorities, it is

24. How have the powers of the central government been extended? In what manner?

necessary not only that the constitution should explicitly define the powers of the different governments, but that the power to decide between them in case of dispute should reside in some body in a measure independent of both disputants. The judicial department of a republican government is the one, from the nature of its appointment and duties, least likely to be moved by popular impulse or partisan consideration. To say nothing of the conservative nature of the legal profession, judges who are appointed to office for life, feel themselves independent of the will of the majority, and in free states it is the popular majority that menaces the constitution. The supreme court of the United States, in rendering decisions, is authorized to set aside any law it may deem contrary to the constitution, and this decision is as binding upon lower courts as if it were actual legislation. To this extent, therefore, the supreme court is made the guardian of the constitution, but its nullifying power is limited to those cases which are brought before it judicially. Until a case involving the law in question is brought before it, the court offers no opinion. This gives the decision of the court the air of an inevitable declaration of honest opinion which it would not have, had the court been invested with a veto power similar to that of the president.

It is of the highest importance that the people of the union have confidence in the non-partisanship of the authoritative interpreter of the constitution, and anything that may tend to impair this confidence is injurious to both government and people. No ground, not even the slightest, should be given for suspicion that the judges may be moved by party or personal ambitions, or by

25. What check has been placed on the illicit extension of the powers of government? Who exercises this moderative power? To what cases is this power confined? Why? What is said of the supreme court's reputation for non-partisan and impartial judgment?

anything but an honest opinion as to the real meaning of the constitution.

CHAPTER III.

THE UNITED STATES OF MEXICO.

25. Republica Mexicana.—By its present constitution, bearing date Feb. 5, 1857, Mexico is declared a federative republic, composed of separate states, 19 originally, 27 at present—bound together in one body politic by fundamental and constitutional law. Each state has its own legislature or “state congress” and its own governor; and possesses, in theory, full powers of government with regard to local affairs.

27. Like the United States Government.—The political system of Mexico was evidently modeled on that of the United States, both in the classification of powers entrusted to local and general governments, respectively, and in the division of powers in the general government itself. These are classified as legislative, executive and judicial, and are respectively vested in a congress, president and federal court. The congress is in two houses, a senate of two members from each state, and a house of 331 members, apportioned among the several states at the rate of one to every 80,000 inhabitants. The president and vice president are elected for four years.

28. Unlike the United States Government.—The presidential electors are chosen by districts, (not states) one for each 100 inhabitants. An executive council, consisting of the vice president and half the

26. When was the Mexican constitution adopted? What form of government does it establish?

27. Wherein does the political system of Mexico resemble that of the United States?

senate, sits during the recesses of congress. Besides these dissimilarities there exists in the two countries a great difference, both in law and custom, in the power over state affairs wielded by the federal government.

29. **History of Mexican Government.**—Previous to gaining her independence, Mexico was governed by Spain through a viceroy and *audiencia* or advisory council. This council, with which the viceroy was bidden to confer on matters of importance, was appointed by the Spanish crown and consisted exclusively of natives of Spain, who were in no way allied with Mexican interests. When, in 1808, the municipal council of the city of Mexico petitioned the viceroy, Don Jose Iturrigaray, to summon a national congress of deputies, the *audiencia* not only rejected the petition disdainfully, but proceeded to punish both the temerity of their demand itself and the complaisance with which it had been received. The viceroy was accused of heresy and delivered over to the inquisition, and the *audiencia* continued for some time in absolute control of the government. Its cruelty toward the Mexicans soon roused open insurrection, headed by Don Miguel Hidalgo y Costilla, a parish priest in the village of Dolores. Sept. 16, 1810, he raised the standard of independence and a civil war began, in which each side seemed to vie with the other in cold-blooded ferocity. Hidalgo was captured and shot, as was also his successor, another priest, by name Morelos. But just as the cause of the patriots seemed lost, the constitution of the cortes, introduced in Spain in 1812, was extended to Mexico by express decree. This conferred electoral rights on the white population, and enabled them to show, without openly joining the rebellion, their sympathy with it. An amnesty was proclaimed, and many of the rebels took advantage of it. Shortly after the

28. In what particulars does it differ from that of the United States ?

return of Ferdinand VII to Spain, the constitution was abolished by royal decree, and, after some years, re-established in response to a military insurrection. Viceroy Apodaca of Mexico was opposed to the constitution, and though obliged to feign submission to it, he plotted a counter insurrection which should restore the absolute power of the king, at least as far as Mexico was concerned. In this he was encouraged by secret letters from the king indicating a disposition to transfer the royal court to Mexico. But this plot overreached itself. Col. Augustine Iturbide, chosen by the viceroy to head the reaction, boldly changed the programme and proclaimed Mexico an independent constitutional monarchy. The crown was to be offered to King Ferdinand, or to one of the two infantes of Spain, on condition of their resigning their claims to the Spanish crown. The result was that not one of the three would consent to take the crown under these circumstances. Both the army and the people rallied about Iturbide, and the Spaniards were forced to make terms with him. The independence of the country was recognized; Iturbide as liberator became the popular idol, and, on the 18th of May, 1822, was elected emperor. But his empire was short lived. Within six months he was at odds with his congress, and Gen. Santa Anna had raised the standard of revolt at Vera Cruz; and in May, 1823, the ex-emperor had sailed for England, exiled, but liberally pensioned in recognition of his valuable services. Returning the next year to attempt to regain his imperial power, he was captured, tried, convicted and shot.

“When once Iturbide was overthrown,” writes M. Lucas Alaman, “the history of Mexico may be called the history of the revolutions of Gen. Santa Anna. At one time he organized them for his own interest; at another took part in them when commenced by others.

He labored one day for the aggrandizement of his friends, the day after for his own. He raised up a faction, and then cast it down and oppressed it, and supported the opposite faction. He thus kept up a seesaw between different parties. He was the promoter of political events, and the fate of the country was bound up with his, amidst all the alternations which at times placed him in possession of the most absolute power, and at others precipitated him into captivity or exile." Up to 1833, Santa Anna labored rather to make and unmake presidents than to advance himself to the chief magistracy. In that year, however, he assumed the dignity of president, and continued in that office—with slight interruptions—down to 1856. He was several times forced to retire from it; first in 1836, when he was captured by the Texans at the battle of San Jacinto; a second time in January, 1845, and again in 1847, after the invasion of the country by the United States. In 1853 he returned to power, the nation by universal suffrage electing him dictator for life; but after three years, he was again deposed and exiled. It was at this period that the present constitution of Mexico was adopted.

The form of government adopted after the overthrow of Iturbide was that of a federal republic, after the model of the United States. But whereas in our country the federal form had naturally been taken to unite isolated colonies, each state jealously maintaining her autonomy, Mexico had never governed itself, and had been accustomed to a most centralized form of government. Hence the system of individual states united by federation had no deep root in Mexico, and

29. What led to the first Mexican revolt against Spain? Describe the progress of the War? How was independence at last secured? What form of government was established? How long did it last? What has been the history of Mexican Government? What is said of the establishment and preservation of the federal system? What of the evolution of the congress?

in 1835, under the first presidency of Santa Anna, the state governments were set aside, and their powers absorbed by the central government. In 1846 the federal system was again established, only to be discarded under the dictatorship of 1853. It was revived, however, after the final deposition of Santa Anna, and embodied in the present constitution.

The first national representative body in Mexico was a junta or secret council of self-elected persons installed by Gen. Rayon, who commanded one of the principal bands of insurgents after the capture of Hidalgo. This body met at Zitacuaro, in the province of Valladolid ; and presumed to address the viceroy with offers of peace on the basis of Mexican independence. To punish this audacity, Gen. Calleja marched on Zitacuaro, killed its principal inhabitants, and reduced the town to a heap of ruins, which is said to exist to this day. A new junta, representing the people of the different sections, partly by appointment and partly by election, and styling itself a "congress," met at Chilpancingo, and published a declaration of independence. This body was greatly favored by Morelos, but his successor, Gen. Teran, quarreled with and dispersed it. It continued a merely nominal existence until adopted by Iturbide at Iguala. Under the empire and the republic, this congress has taken a prominent part in the government, but there being no guarantee of the honesty of elections, it has never altogether deserved the name of a representative body.

CHAPTER IV.

VENEZUELA AND COLOMBIA.

30. **Estados Unidos de Colombia.**—Like the United States of America, after which it was modeled, the United States of Colombia is a federation of states,

each claiming sovereign rights, except in so far as the same are delegated to the central government. The states, nine in number, elect in such manner as they see fit, their representatives in the two houses that compose the federal congress, and unite in electing a president and vice-president, the latter being also chairman of the senate.

31. Unlike the United States Government.—The Colombian senate is composed of three members from each state; the membership of the house of representatives—numbering 66—is apportioned among the states on the basis of one deputy for the first 50,000 of population and one for each additional 20,000. The president, elected for two years, administers the government through four ministers or secretaries, who are responsible to congress.

32. History and Formation of the Government.—The first republic of Colombia was formed in 1819, by Gen. Simon Bolivar, the South American liberator, in the struggle of the colonies to throw off the Spanish yoke. It comprised the territory now included in the republics of Venezuela, Colombia and Ecuador, and by the constitution promulgated in 1821, was divided into twelve departments, in imitation of the French republic. In 1831 the republic fell to pieces, and the three existing republics were formed, Colombia under the name of New Granada.

New Granada was politically divided into one state (of Panama); twenty-two provinces and three territories. These were subdivided into cantons, of which there were 130, and again into districts or parishes and *aldeas* or hamlets. There were 816 parishes and 70 hamlets in 1851. A hamlet is a partly organized parish, as a

30. What is said of the likeness of the Colombian government to that of our own country?

31. Note the chief differences between the federal systems.

territory is a partly organized state or province. Each district had its council and executive officer, each canton its executive, but no council, and each province its governor and provincial legislature. The state of Panama was more independent than the provinces, and styled its chief magistrate president instead of governor, a distinction which is maintained to this day.

The present constitution of Colombia was formed by the convention of Rio Negro in 1863. At the beginning of 1860 the liberal party, under the leadership of Gen. Thomas Mosquera, rose against President Ospina, whom the Federalist or Conservative party had installed in 1857. Taking possession of Bogota, and driving Ospina's government into the southern province of Antioquia, Mosquera formed a federal republic to be known as the United States of Colombia. Of this government he was proclaimed dictator, Sept. 20, 1861. In December, 1862, peace was made and a constitutional convention summoned. This met at Rio Negro, state of Antioquia, in February of the following year, Gen. Mosquera resigned his dictatorship and was appointed provisional president. The present constitution was drawn up and proclaimed April 23, 1863. The first constitutional president, Don Manuel Murillo Toro, was installed April 1, 1864. Two years later, Gen. Mosquera succeeded Toro, but coming in conflict with his congress, was deposed and imprisoned. His vice-president, Gen. Santos Gutierrez, succeeded him. From 1871 to 1875, civil war prevailed and the presidency underwent frequent changes.

33. Republica de Venezuela.—The republic of Venezuela was formed in 1831, by secession from the republic of Colombia, founded by Bolivar. The con-

32. Give the history of the first republic of Colombia? Describe the political organization of New Granada. Also its transformation into the present united states of Colombia.

stitution then adopted, and re-proclaimed in amended form in 1864, was avowedly in imitation of the United States of America. Even the number of states, now twenty-two, was originally the same—thirteen. The president is elected by the people voting by states, or, in case no legal choice is made—by the congress voting by states. He holds office for four years, beginning the 20th of February. He appoints his ministers, who are strictly his organs and vacate office with him. The congress consists of a senate of two members from each state, and a house formed by each state's choosing one deputy for the first 25,000 of its inhabitants and a second deputy for a number in excess beyond 12,000. The high federal court, consisting of five members, corresponds in character and jurisdiction to our federal supreme court. The states which form the union reciprocally acknowledge each other's rights to self government, declare themselves equal as political units, and reserve to themselves all sovereign rights not expressly delegated to the central government.

34. Unlike the United States Government.—The most apparent dissimilarity between the government of Venezuela and that of its prototype, arises from the jealousy with which the states have maintained their independence. Even in cases where the peace of a state is endangered by domestic disputes, the federal government is debarred from armed intervention, and can only tender its good offices to bring about a peaceful solution of the difficulty. In our own country, the federal government is bound to interfere to protect the state government from domestic violence when called upon by the legislature, or by the governor when the legislature cannot be convened, and hence it has always exercised large discretion in cases of disputed

33. When was the republic of Venezuela formed? What is said of its resemblance to the United States?

election. The Venezuelans either have not so much confidence in the discretion and impartiality of their federal executive, or they prefer to reserve to themselves the "sacred right of revolution."

Moreover, if this clause of the constitution, "the government of the union shall not possess in the states resident officers with jurisdiction and authority other than the officers of the states themselves"—is to be interpreted literally, the federal government, and even the federal courts, are made dependent on the states for the enforcement of their decrees. The customs officers constitute an exception, but even these are so far under state influence that the state is often able to appropriate the federal revenue and refuse to account for it.

There are many minor dissimilarities, such as that the president's veto is not conclusive unless sustained by a majority of the state legislatures, and that the judges of the federal court are elected by these legislatures, but these simply mark the spirit of independence in the states, without materially affecting the form of government.

35. Origin and History.—The early political organization of Venezuela was similar to that of New Granada, with which it was connected. Since its secession, though it has preserved its form of government without material alteration, it has been distracted by internal dissension leading often to civil war, through the struggles for supremacy of the Federal and Confederal parties, the former advocating a strong centralized government, and the latter the greatest possible independence of the separate states.

34. What is the most apparent difference between the Venezuelan constitution and that of our federal government? How is the federal government, in that country, made dependent on that of the States? What is said of the president's veto? Of the appointment of the supreme court?

35. What is said of the origin and history of the Venezuelan republic?

CHAPTER V.

ARGENTINE CONFEDERATION AND LIBERIA.

36. Confederacion Argentina.—The Argentine Confederation, formerly known as the United Provinces of the River de la Plata, consists of fourteen states united as a federal republic. Not only is its form of government obviously modeled on that of the United States *par excellence*, but its constitution, adopted in 1853, is a flattering imitation of our federal organic law. The composition and attributions of the two houses of congress; the mode of election and the duties of president and vice president; the nature of the supreme court, and the jurisdiction accorded it, are very nearly the same in both constitutions, while in many of the minor provisions for the regulation of various state and federal officers, an equal degree of similarity exists.

37. Unlike the United States Government.—The president and vice president of the Argentine republic are elected for six years, and are not eligible for re-election until after the expiration of a similar period. No executive order of the president is valid unless countersigned by the minister or secretary of the proper department, but, since the president has absolute power to appoint and remove the members of his cabinet, this check amounts to little. In the same way, the force of the provision that ministers shall be "responsible" to congress, is broken by the necessity of resorting to a legal impeachment in order to remove one of them. The membership of the house of representatives is apportioned among the several states, as with us, but the deputies are chosen not singly by districts, but on a general ticket as we choose presidential elect-

36. What is said of the resemblance of the Argentine constitution to that of the United States? Note the points of resemblance.

ors. Also since but half the house retires biennially, the deputies hold office for four years, instead of for two years as with us.

The constitution establishes, and commands the maintenance of, the Roman Catholic religion, and membership in the Roman Catholic church is one of the conditions of eligibility to the presidency, but freedom of belief and practice is guaranteed to the people; and upon this point, as on every other, the fullest liberty of the individual citizen is contemplated by the constitution.

38. Origin and History.—The revolution which separated the viceroyalty of the Plata from Spain, began after the fall of the "Junta of Seville," in 1810. The viceroy, Marshal Baltazar Hidalgo de Cisneros, was cordially hated by the colonists, and, on finding him suddenly deprived of support from Spain, they rose and deposed him, May 25, 1810, and established a governmental board, headed by Cornelio Saavedra. Civil war followed, the Spanish party taking possession of Montevideo, in the province of Uruguay, which then formed part of the viceroyalty. This war ended with the defeat of the Spaniards and the occupation of their city, June 20, 1814; but hostilities with the Spanish party in Chili and Peru continued for eight years. During this period, the government was held and despotically administered by the strongest party, presided over by the general who seemed, for the moment, best qualified to maintain himself and keep order. A dispute arose over the form of government to be established. Some factions wished a unified, centralized government, but could agree neither upon the capital nor the president. Others, who could not hope to head the nation, demanded a confederation with separate

37. Note the differences in form and practice between the two governments.

state governments, and this plan commended itself to many as the surest escape from the tyranny of a military dictator. Before this dispute could be settled, Brazil declared war, demanding possession of Uruguay. This war was ended by the convention of August 27, 1828, by which both countries acknowledged and agreed to maintain the independence of Uruguay.

Civil war now arose again between the "Federal" and "Unitarian" parties. Gen. Lavalle having deposed, and, finally, executed Dorrego, governor of Buenos Ayres, and leader of the Federal party, made a truce with Dorrego's lieutenant, Gen. Juan Manuel Rosas, and exalted him to the governorship. The country falling into disorder, Rosas was given dictatorial power, March 7, 1835, and from that time until 1852, he maintained himself in power, in spite of the revolts (headed by Lavalle and others) which his insane and brutal tyranny aroused against him. Finally, Gen. Justo Jose de Urquiza, governor of the province of Entre-Rios, revolted, and, forming an alliance with the neighboring province of Corrientes, and with the empire of Brazil, marched upon the city of Buenos Ayres. Rosas was defeated in battle at Monte-Caseros, and fleeing on board an English man-of-war, went to England, where he lived for twenty-five years as a private citizen.

Urquiza was made "provisional director" by an assembly of the provincial governors, and a congress was assembled which framed and adopted the existing constitution, May 25, 1853. Under this constitution, Urquiza was chosen president.

But in all this, Buenos Ayres had taken no part, and had overthrown the provincial government set up by

38. Describe the struggle of the La Plata provinces for independence. Also the ensuing struggle between rival factions. What was the final result? How did the viceroyalty lose some of its provinces?

Urquiza after the flight of Rosas. This led to war in which Buenos Ayres was finally successful, and her general, Bartolome Mitre, was elected president for six years from October, 1862, and the capital of the confederation was at the same time transferred from Parana to Buenos Ayres. This was the last revolution. Domingo Faustino Sarmiento, elected in 1868, and Dr. Nicolas Avellaneda, elected in 1874, both peacefully ended their terms of office, and the present incumbent, Gen. Roca, seems likely to do the same.

The viceroyalty of the River Plata included the provinces of Uruguay,—formerly known as the Banda Oriental—Paraguay and High Peru, now Bolivia. Uruguay, as we have said, became independent by the war with Brazil; Paraguay, in 1811, declared herself free from Spain, but refused to join the United Provinces. High Peru withdrew from the confederation in 1825, and established itself as the Republic of Bolivia. The secession was freely recognized by the congress of the Plata, and, barring a boundary dispute, the two countries have been on excellent terms ever since.

39. The United States of Liberia.—The latest plagiarism upon the United States of America is the African republic of Liberia, founded by the American colonization society as a home for negro freedmen. The republic is situated on the Grain Coast of Upper Guinea, and covers a territory 600 miles long—along the coast—by 100 miles wide. It has a population of over 1,000,000, including 18,000 American freedmen. Its form of government was modeled on that of the United States.

40. Unlike the United States Government.—The president of Liberia is elected for two years as are

39. Where is Liberia situated and how is it governed?

40. How does its government differ from that of our country.

also the members of the house of representatives. The senators are chosen for four years. But these differences are trivial compared with the changes necessary to adapt a complex federative form of government to a league of half civilized tribes.

41. Origin and History.—The colony of Liberia was founded in 1821, and the republic organized and left to its own resources in 1847. At first it seemed very prosperous, but later reports are by no means encouraging. Says the "Statesman's Year-Book" for 1882: "The establishment of the republic of Liberia was virtually an attempt, made by American philanthropists, to show the capacity of the negro race for self-government; but as such it is admitted to be a failure. Prevailing disorder, with absence of all progress and civilization, mark the character of the negro republic in its more recent history." The government is bankrupt and has paid no interest on its public debt since 1874.

CHAPTER VI.

SWITZERLAND AND GERMANY.

42. Schweiz or Suisse.—Switzerland is a federal republic, comprising twenty-two states or cantons. The present constitution, based on the fundamental laws passed in 1848, came into force in May, 1874, having been adopted by the people at the previous general election.

43. Like the United States Government.—The Swiss republic is a true federation of states with equal representation in the national senate, or "state council," and with full rights of self government. Each

41. What is said of the origin, history and present condition of Liberia?

42. What is the government of Switzerland?

canton elects but two senators, even when, for purposes of self government, the canton is politically divided. Representation in the lower house is apportioned on the basis of population, the canton of Berne having twenty-five deputies, and that of Zug but one. The chief magistracy is vested in a president, and there is a supreme court, "or federal tribunal," which is both the interpreter of the constitution, and the high court of appeal. But the chief likeness is in the carefulness with which the states maintain their individuality, even in cases where the local government is merely a mass meeting of the electors

44. Unlike the United States Government.—

The legislative and executive authority of the Swiss government is vested in the congress of both houses, called the Federal Assembly. The members of both upper and lower houses, (elected every three years), besides their positions as legislators, have, as members of the joint assembly, executive powers and responsibilities. These are, according to law, deputed to a *bundesrath*, or federal council, of seven ministers chosen every three years by the assembly, and to a president and vice president elected by the assembly for the term of one year. The assembly also elects the members of the federal tribunal of eleven judges, that corresponds to our supreme court. These hold office for six years and decide all matters in dispute between the various cantons themselves, between them and the federal government, and act in general as a high court of appeal.

45. Origin and History.—The Swiss confederation was originally founded in 1308 by the cantons of

43. Do you think that it was modeled on that of our own country? Why not?

44. What is the vertical division of power in the Swiss government? Wherein does this differ from that of our country?

Uri, Schwyz, and Unterwald. In maintaining their rights under the German empire, and afterwards in gaining and maintaining their independence, the cantons of Switzerland were forced either to league themselves together, or to ally themselves with the surrounding nations. This, however, was mere alliance, not permanent union; but it continued in one shape or another until 1798, when it was replaced by the Helvetian republic. In 1803, Napoleon I. organized a new confederation of nineteen cantons, and this league lasted, with various changes in the treaty of union, until the civil war of 1847. The number of states had before this (1815) been increased to twenty-two by the admission of Wallis, Neuchatel and Geneva.

The history of Switzerland from 1803 to 1848 furnishes sufficient explanation of the revolution which established the union in the place of the confederacy. "Sedition, privy conspiracy and rebellion" on the part of the minority, arrogance and usurpation on the part of the stronger states, and intrigue or open alliance with foreign powers, mark this period of the country's history. This culminated when, in 1843, the Swiss diet refusing to compel Aargau to restore the convents she had suppressed, six Roman Catholic cantons formed a sonderbund, or offensive and defensive alliance against the other members of the confederacy. This, of course, was secession, but there was no way of dealing with it except by war, for which the Protestant cantons were not prepared. Then Valais (or Wallis), after a bloody contest with her own citizens, joined the Sonderbund. The politico-religious question was agitating the whole country, when, in 1847, the diet ordered the dissolution of the Sonderbund. It was re-

45. What was the origin of the Swiss confederation? Narrate its history. What change was made in 1847, and why?

fused, and war followed. The nationalists were victorious, and the diet proceeded to form a new and more perfect bond of union, which should prevent future troubles of this sort. Thus was formed the present "Bundesstaat" of Switzerland.

46. Deutsches Reich.—The German empire consists of twenty-two monarchical and three republican states, not counting Alsace-Lorraine, which is an imperial province and not a true member of the union. These German states are united in what they call a bundes-staat, or federative state as distinguished from the staatenbund or confederation. The central power consists of three factors: the presidency, which is vested in the German emperor; the federal council (bundesrath), and the federal parliament (reichstag). By the constitution, which bears date April 16, 1871, the imperial dignity is vested in the crown of Prussia forever, and the laws which govern the succession to the Prussian throne are to be applied to the imperial succession also. But the executive powers of the empire do not rest solely with the emperor; they are shared with the chancellor of the empire and the bundesrath. The chancellor, who is also president of the bundesrath, is declared "responsible" to the chambers for his acts, but this responsibility is moral, not legal, as he cannot be impeached, and no one but the emperor can demand his resignation.

47. Like the United States Government.—The points of similarity between the German government and that of the United States are superficial and arise from the fact that both are federations. There is a general resemblance in the division of powers between federal and state government, and in the composition

46. What is the German empire? Distinguish between a bundesstaat and a staatenbund. How are the powers of government distributed?

of the federal legislature, the bundesrath being appointed by the several states and the reichstag elected by universal suffrage, but here the resemblance ends. Nor does the dissimilarity arise simply from the fact that the government of Germany is monarchical, for it is quite as unlike the government of England.

48. Unlike the United States Government.—

The German empire makes no attempt to maintain the equality of its states even by equal representation in her federal senate. Prussia has seventeen members in that body, the kingdom of Bavaria has six; the kingdoms of Wurtemberg and Saxony, four each; several of the duchies two or three each, and the remainder of the states but one each. This difference of representation is based partly on population and partly on hereditary custom. The preponderance of Prussia is also recognized in the powers bestowed on her king in his imperial capacity, which virtually give to Prussia the control of the army and navy, of the post office and of the imperial railroads and telegraphs, and invest her with a veto over such legislation as may affect the imperial armament or revenues. The chancellor, whose signature is necessary to validate all laws (except those with regard to the army and navy) was made a creature of the emperor.

In his executive duties the chancellor has always acted with the federal council, though he is by no means dependent on that body. This council is an unique creation. It combines the functions of a legislative assembly with those of an executive body. It consists of fifty-nine representatives of the states, who are supposed to act directly on the instructions of their respective governments. The delegation from each state casts its vote as a unit for or against a measure, accord-

47. Is the government like that of the United States? Wherein and why?

ing to instructions, and in cases where no instructions have been given, the vote is considered invalid. But it is not competent for the council to examine whether the delegation has followed its instructions or not. In this way the council passes upon all laws, and upon all treaties with foreign powers. The executive duties of the council are intrusted to seven committees chosen at every session, and continuing in office until their successors are elected. Five of these committees are chosen by the vote of the council and the remaining two, the committee on the army and fortresses, and that on the navy, are selected from the council by the emperor. These committees, together with the chancellorship, fill the place of the ministry in other countries.

But besides its legislative and executive powers, the council has judicial duties. Disputes between the states are referred to the council, which elects a court then and there to hear and decide the case. The council also exercises jurisdiction over consular cases and others arising out of treaties with foreign countries; and this, together with a special court of appeal in commercial and admiralty cases, instituted at Leipzig in 1869, supplies the place usually occupied by a federal supreme court.

Besides the federal council, there is a federal chancery, a purely executive body, under the direction of the chancellor. There is also an office of foreign affairs under Prussian management, supervised by a special committee appointed by Bavaria, Saxony and Wurtemberg.

The reichstag, which consists of 397 deputies elected

48. How does the German empire maintain the equality of its states? How is the membership of its federal council apportioned? How else is the preponderance of Prussia recognized? What are the powers of the German chancellor? What is said of the federal council? Of its committees? Of the federal supreme court? How is the foreign office directed? What is said of the reichstag?

for three years, has the usual legal powers of a chamber of deputies ; but, having neither the power to force a change of ministry, nor to effect a change of administration through a presidential election, the people's representatives have little more than a veto power. The reichstag can reject bills and refuse appropriations, and very often does so , it can also initiate legislation but this it seldom does, having no power to compel the council to accept its bills.

49. Origin and History. — The Holy Roman Empire of the west, or of Germany, founded by Charlemagne in 800, A. D., came to an end in 1806 when Napoleon Bonaparte established the Rhine Confederation. With the fall of Napoleon, the confederation dissolved and a new union was attempted. By the "federal act," adopted by the congress of the powers at Vienna in 1815, a new confederation was founded under the presidency of Austria. This was supplemented by the "final act" adopted at Vienna by the representatives of the German states. This act proclaimed the confederation a "corporation of self-dependent, and, with regard to each other, independent states ; and, with regard to external affairs, a politically united power." But the staatenbund thus established was a wretched failure, so far as giving Germany either peace or uniformity of government was concerned. To quote from John Stuart Mill, it "served only to give Austria and Prussia the legal right of pouring in their troops to assist the local sovereigns in keeping their subjects obedient to despotism ; while in regard to external concerns the bund would have made all Germany a dependency of Prussia, if there were no Austria, or of Austria if there were no Prussia ; and in the mean-

49. Describe the rise and fall of the confederation of the Rhine. Its change into the present empire.

time, each petty prince had little choice but to be a partisan, or to intrigue with foreign governments against both."

Attempts to form a more satisfactory union were frustrated by the rivalry of Austria and Prussia, and it was not until 1866, when Austria, being conquered in a war with Prussia, acknowledged the dissolution of the German confederation, that the organization of a bundesstaat was possible. Then the present German union was formed, first under the name of the North German Confederation as it included only the North German states. During the Franco-Prussian war, the federation was extended to all Germany, and all except the Austria-German provinces were included in it.

CHAPTER VII.

AUSTRIA-HUNGARY AND SWEDEN AND NORWAY.

50. Oesterreich-Ungarische Monarchie.—The monarchy of Austria-Hungary has, since the year 1867, formed a bipartite state, consisting of a German, or "Cisleithan" monarchy, and a Magyar, or "Transleithan" kingdom. That is, it comprises the empire of Austria on "this side" of the river Leith and the Kingdom of Hungary "across" the river. Each of the two countries has its own parliament, ministers and government, while the connecting ties between them consist in the person of the hereditary sovereign (Franz Josef I.), in a common army, navy and diplomatic service, and in the "Delegations," a parliament of 120 members, one-half of whom represent the legislature of Austria and the other that of Hungary. The sphere of this central government is limited to foreign

50. Describe the form of government existing in Austria-Hungary? To what is the power of the joint government limited?

affairs and war matters, and to the financial business incident to these charges.

51. Like the United States Government.— The similarity to the United States is to be looked for, not in the union between Austria and Hungary, but in the government of Austria itself, which is a true *bundesstaat* united in the personality of its monarch. The desire on the part of the provinces of Austria to maintain the integrity of their institutions while submitting to the Austrian crown, resulted in a curious conglomeration of monarchical states under one monarch but many constitutions. Thus the imperial office embraces the royal dignity of seven kingdoms, one grand duchy, four duchies, one principality, one sovereign earldom and one margravate, and though these states now have constitutions in which there is an approach to uniformity, it is not many years since the royal power varied in the different states from absolute despotism to liberal and limited monarchy. In her union with this *bundesstaat* Hungary is granted, not merely the rights of self-government under her own constitution, but the power and dignity of an equal voice in diplomacy and war. The other provinces, though they are allowed provincial diets or legislatures, are subject to the *reichsrath* or council of the empire.

52. Unlike the United States Government.— The government of Austria-Hungary is, in its main features, totally unlike that of the United States. Aside from the bipartite character of the central authority, and the consequent third stratum of government from an international point of view, the general division of powers is very different from that which obtains in Anglo-Saxon countries. The executive power rests

51. Wherein is the government of Austria like that of the United States? To what is this likeness due?

with the crown, but the work of administration is entrusted to the local authorities. In the same way the crown shares its law-making powers with the representatives of the people. The "delegations," which consist of 60 delegates from the Austrian reichsrath and as many from the Hungarian diet, 20 of each being the choice of the upper house and 40 of the lower house of their respective constituencies—meet to form a single, independent legislature, but instead of deliberating together they sit in separate chambers and only convene for a joint ballot when they do not arrive at the same conclusion separately. The power of the delegations being confined to foreign affairs, the common defense, and the collection and expenditure of the joint revenues, all other matters are left to the diets of the realms. In the Austrian reichsrath, the members of the upper house (Herrenhaus) hold their seats either by hereditary right, as the princes and nobles, or by appointment, as the bishops and life senators. The members of the lower house (Abgeordnetenhaus), numbering 353, are elected for six years by popular suffrage, with a small property qualification. The power of the reichsrath is limited to giving or refusing (1) consent to all laws relating to military duty, (2) co-operation in legislation on commercial matters, and (3) examination of the imperial finances. Within these limits either house can initiate measures, but the emperor reserves to himself an absolute veto power over all legislation.

Hungary is governed by her king and diet, each possessing legislative power. The diet consists of a house of magnates, holding their seats by succession or ap-

52. Note the peculiarities of this government. Do these in any way resemble the feature of our own government? What are the chief points of difference in the case of Austria? In the case of Hungary?

pointment, and a house of representatives elected triennially by the people under a tax-paying qualification. The executive power is entrusted to a responsible ministry, consisting of a president (of the council) and nine departments.

53. Origin and History.—The formation of the empire of Austria dates back to medieval history, but her constitutional liberties are of much more recent date. The first constitution of Austria originated in an imperial diploma, dated October 20, 1860, followed by an ordinance, or patent, of February 26, 1861. These decrees laid the basis of a charter, which, after a suspension from 1865 to 1867, was put in force in December, 1867, with the modification rendered necessary by the independence of Hungary. The Hungarian constitution rests on the fundamental statutes granted, at long intervals, by her king. The chief of these, the "Bulla Aurea" of King Andrew II., was granted in 1222 and defined the form of government as an aristocratic monarchy.

In 1528, the death of the youthful king Louis left the throne of Hungary vacant and it was claimed by Prince Ferdinand of Austria, who had married Anne, the sister of the late king. Having after a civil war secured his election by the diet, he was regularly installed in the regal office in 1547. The crowns of Hungary and Bohemia were at this time united, and when, by the abdication of his brother, Charles V., Ferdinand became king of Austria, the three kingdoms were for the first time united under the house of Habsburg. The monarchy of Hungary continued to be elective and the princes of the house of Habsburg who succeeded to the throne of Austria, were successively

53. What is said of the origin of the Austria constitution? Of that of Hungary? Of the history of their union? Of the nature of the present arrangement?

elected to that of Hungary and separately crowned, taking their oath to maintain the constitution granted by their predecessors. In 1687, the diet of Hungary decreed that the throne should thenceforward be hereditary in the male heirs of the house of Habsburg, and in 1823 extended the right of succession to the female descendants also. Under the rule of the Austrian princes, the constitution of Hungary was repeatedly infringed or suspended, and when the people took up arms in its defence in 1849 it was declared forfeited by the rebellion. But this decree was repealed in 1860, and in 1867 the emperor of Austria was crowned king of Hungary, taking his oath to maintain its ancient constitution.

The final arrangement was as much for the satisfaction of the Germans as for that of the Hungarians. So long as the Habsburg monarchs governed their provinces separately, there was little conflict between provinces, but the first attempt to merge them all in one empire, roused feelings of jealousy between the Germans, Magyars and Slavs, each thinking that the others were unduly favored. This was settled by the formation of a cisleithan state that the Germans could control, and a transleithan one under the government of the Magyars, the Slavs being gerrymandered out of power in both states.

54. Sverige och Norge.—In the bipartite state of Sweden and Norway we reach the primal stage of the federative monarchy. These two states are united only in the person of their sovereign, having a common diplomatic service, of course, but separate and distinct constitutions, and diverse political institutions. There is a council of state, representing both countries,

54. What is the government of Sweden and Norway considered as one kingdom? What, considered separately?

but it is a committee of conference to adjust matters relating to the common welfare. Likeness to the American Union is scarcely perceptible, and the two members of the federation considered as segregate states, are constitutional monarchies, showing more points of resemblance to England than to the United States.

55. Origin and History.—The union between Sweden and Norway came about in this way: By the treaty of Kiel, January 14, 1814, Norway was ceded to the king of Sweden by the king of Denmark, but the Norwegian people did not recognise this cession, and declared themselves independent. Sweden proceeding to occupy the country by force, the Norwegians yielded, and concluded the convention of Moss, by which the independence of Norway in the union with Sweden was solemnly proclaimed. An extraordinary storting, or constituent assembly (an electoral college), was summoned, which accepted the terms of union and elected King Carl XIII., of Sweden, king of Norway. This was in November, 1814; the following year the Riksbill, or charter of union, was promulgated, declaring the tie between the realms indissoluble, but without prejudice to the separate government, constitution and code of laws of either state.

CHAPTER VIII.

FRANCE AND ENGLAND.

56. Unified States.—In beginning the study of unified (as opposed to federative) states, it is well to note not only the difference between unities and federations, but the likeness between unities considered as such. The ordinary method of classifying governments as monarchical, aristocratic, or democratic, is arbitrary and

55. What is the history of their union?

inadequate, as we may see by a comparison of the governments of England and France. It is a very rough classification that calls England a monarchy and France a democracy. England is really an absolute democracy with monarchical and aristocratic appendages, and France a limited democracy with aristocratic appendages. The most available classification is that which ranges both countries as unified states.

A unified state is one in which the national government is charged with the power and responsibility of supervising the administration of public affairs in all parts of the country. This is not the case in our own country, where the power of the federal government within the states is limited. It is true, that in England and France local affairs are generally left to the judgment of the local authorities, but this does not diminish the responsibility of the central government, which is empowered to overrule the decision of any local body in the interest of justice and the public welfare.

57. Republique Francaise.—The present constitution bears date Feb. 25, 1875, revised in August, 1884. It vests the legislative power in the chamber of deputies and the senate, and the executive in the president of the republic. Deputies are elected for four years by universal suffrage. The senate is composed of 300 members, of whom 75—under the constitution of 1875—were to be life senators, and 225 nine-year senators, 75 of the latter retiring every third year. Since 1884, vacancies in life senatorships have been filled for nine years only. They are chosen by an electoral college, composed of deputies, general

56. What is the difference between a unified state and a federation? Give examples.

57. What is the present government of France? Describe its legislative and executive departments.

councils, councils of districts, and delegates from the communes and municipalities of France. The president is chosen for seven years by a majority vote of the senate and chamber of deputies, united in national assembly. There is no vice president, and when the president dies or resigns, the chambers unite and elect a new one—for seven years, and not merely to complete the unexpired term.

58. Origin and History. — After her defeat by Germany, in the Franco-Prussian war, France disowned her emperor, and proceeded to organize a republic. The present constitution was drafted and adopted, in 1875, by the national assembly elected two years before. Many features of the political system are, of course, of older date, but the government as a whole, was modeled after the political ideal of the majority of the assembly

59. United Kingdom of Great Britain and Ireland.—The united kingdom has no formulated organic law. Its constitution comprises the whole body of laws as passed by parliament and interpreted by the courts. Every parliament, therefore, finds itself empowered to amend the constitution, and is restrained only by tradition and custom from making radical changes. The force of precedent, which guarantees the permanence of the British constitution, also invests the house of commons with supreme legislative authority, giving the house of lords a mere veto power. Nor is the sovereign, (in practice) empowered to withhold his approval of any measure on which the people are really determined. Sir Edward Coke declares that "The power and jurisdiction of parliament is so transcendent and absolute that it cannot be confined, either for causes or persons, within any bounds." And re-

58. What is said of the origin and history of the existing French constitution?

peating these words, Sir William Blackstone adds that parliament is the place where "that absolute despotic power, which must in all governments reside somewhere, is entrusted by the constitution of the kingdoms." Yet the parliament is not a self-existing body. The king alone can summon it, and no parliament can assemble of its own accord except in case of the death of the sovereign. But the king is by law obliged to summon parliament at least once in three years, and, since the appropriation of supplies and the "mutiny act,"—for the punishment of disobedient soldiers and sailors—are passed for only one year at a time, the king is practically obliged to call the assembly together annually. The right to appropriate money, to levy taxes, and grant supplies to the crown, is by established usage vested in the house of commons.

Hence, though England is a monarchy, the chief power in the state rests in her house of representatives. This house is composed, according to the act passed in the reign of Henry III, of knights of the shire, or representatives of counties, of citizens or representatives of cities, and of burgesses or representatives of boroughs. The present apportionment is based on this ancient classification and not, as in this country, upon population merely. The reform act of 1832 was especially designed to remedy the more apparent discrepancies in this mode of apportionment. The franchise is limited by a small property qualification.

The upper house of parliament consists of peers who hold their seats by one of the following titles: (1) by hereditary rights; (2) by creation of the sovereign; (3) by virtue of office—as the English bishops; (4) by election for life—as the Irish peers; (5) by election for duration of parliament—as the Scottish peers. In early times the right of peers to attend parliament depended in a great measure upon royal favor, but it has

long been decided that in England hereditary peerage confers the right to a vote in the upper house. The crown is unrestricted in the creation of new peerages in England, but in Scotland and Ireland where the peers elect their representatives in parliament, the crown is, by law or custom, restricted in the exercise of this power. In Scotland extinct peerages may be revived and forfeited peerages restored, and in Ireland a new peerage may be created on the extinction of three of those now existing. The powers of parliament are politically omnipotent within the United Kingdom and its colonies and dependencies; nor are they weakened by vertical division. The executive power rests in the hands of the ministry, who are not only members of parliament, but are responsible to it in every particular; and as for judicial power, parliament is recognized as the highest court of law, from which there is no appeal. Nor only this; the queen holds her crown by act of parliament, which after the revolution of 1688 settled the crown on the Protestant heirs of the Princess Sophia, of Hanover. And though the sovereign of England is by no means a figure-head in the work of government, her prerogatives are those recognized by parliament, which is also charged with upholding them.

60. Origin and History.—The history of the British constitution is bound up with that of parliament. This body is the outgrowth of the *Witena-gemot* or assembly of wise men whom the Saxon kings used to summon about them. The *Magna Charta* or great charter drawn up by the barons in the reign of King John established the power of the parliament over taxation

59. What is said of the British constitution? Of the power of parliament? Of the house of commons? How and by whom is this house elected? Who form the British house of peers? How are the powers of government in the British state divided? What is said of the queen's title to her crown?

and laid the foundation of its power. The parliament, which consisted of the lords temporal and the lords spiritual, was enlarged to include representatives of the people, but not until the reign of James I. did the house of commons become prominent as a separate chamber of parliament. The revolution of 1688 made the house of commons the strongest thing in the state, and this strength it has maintained and increased by a gradual usurpation of the powers formerly wielded by the king and the house of peers. It was during this period that the principle of ministerial responsibility was established.

Up to 1707 the three kingdoms, England (including Wales), Scotland and Ireland, each maintained a parliament, but in May of that year the Scottish parliament consented to merge itself in that of England. Ireland maintained a separate legislature till the end of the century, but January 1, 1800, united with her sister kingdoms in forming a single imperial parliament.

61. Comparison.—A comparison between the governments of England and France naturally first takes account of the executive departments, and the principle of ministerial responsibility common to both states. In Great Britain the executive power is vested nominally in the crown, but practically in a committee of ministers, virtually appointed by the house of commons. Although this committee, or cabinet, is regarded as an essential part of the political system, it is unknown to the law, and its members are never officially mentioned as such, but always by some other title. There is no particular reason for this, it has simply grown out of the fiction that the king was the executive and that he could not do wrong unless ill-advised. Hence the commons claimed the right to

60 Give the history of the English constitution? Of parliament? Of the house of commons? When were the three kingdoms united?

choose the advisers of the crown and to hold these advisers responsible for the king's malfeasance in office. Generally speaking, each member of the ministry holds some other office in addition to his position as adviser to the crown. Thus the prime minister, who is supposed to select his colleagues, is first lord of the treasury. The lord chancellor, the lord president of the council, the chancellor of the exchequer and the five secretaries of state, must be members of the ministry, and the office may be extended to a number of other public functionaries and has occasionally been held by one who held no other office, but simply lent his name and influence to strengthen the ministry. In France a similar plan has been attempted, and this openly, for the ministers are by the constitution made responsible to the chamber of deputies. In practice, too, the English example of selecting the cabinet from the leading members of the national assembly has been carefully followed. The ministers continue to hold their seats, join in debates and are questioned in regard to their policy and plans. But for all this, there is a great difference in the working of the systems. No French ministry has possessed sufficient influence with the chamber to keep its office six months, and the chamber seems to grow more and more exacting in its demands. The cause of this is to be sought in the power of dissolution wielded by the chief magistrates in their respective countries. In England the sovereign can dissolve parliament at any time and appeal to the people at a new election, and hence, the English premier holds his factious followers in check. In France, the president can dissolve the assembly

61. In comparing the governments of England and France, what is first to be noted? What is the principle of ministerial responsibility? What are the peculiarities of English practice in government by responsible ministries? Has the experience of France, in adopting this system, been satisfactory? What seems to be the reason? To whom is our president's cabinet responsible?

only by consent of the senate, which is granted only on such terms as make its acceptance entirely out of the question.

It is unnecessary to state that we have nothing of the nature of ministerial responsibility in our own government. In fact the likeness between our political institutions and those of England and France is less than might—in view of our relations one to another—have been expected.

CHAPTER IX.

CHILI, PERU, BOLIVIA, AND ECUADOR.

62. Standard of Comparison.—France, being a unified state under a republican form of government, is naturally a better standard of comparison for centralized republics than a federation like the United States could be. Moreover, though nearly all of these republics are in America, they were organized by the Latin, rather than the German races, and show signs of this derivation in their institutions. Yet it must be remembered that the United States, rather than France, was the model set before the South American revolutionists, and that hence the more striking features of our government were adopted, without much regard for their adjustment to existing political institutions. This we have already noted with regard to the federative system, in its application to nations just released from a centralized despotism.

63. Republica de Chile.—By the constitution adopted May 25, 1833, by Chili, the functions of her government are formally classified as legislative, executive, and judicial. The legislative power is vested

62. Why is France a better type of a unified republic than the United States? Were these republics modeled on that of France?

in the congress of two chambers. The members of the senate are chosen through an electoral college, one third of them at each triennial election, to hold office for nine years. The chamber of deputies, holding office for three years, is filled by popular suffrage, limited only by a small tax-paying qualification. The executive powers are vested partly in the president, who is chosen, through an electoral college, for five years, and partly in a "Council of State," an advisory body, whose consent is in certain specified cases necessary to validate the president's official act. This council consists of the five cabinet ministers, one representative from the law courts, one from the established church (Roman Catholic), one from the army or navy, the official head of the treasury, and one ex-minister, all named by the president, and of six other members, three elected by the senate and three by the house. As a still further check upon the president, the countersign of the proper secretary is necessary to validate his orders to the executive departments.

But though the executive powers of the government are thus weakened by what we call vertical division, *i. e.*, division into co-ordinate departments, they are very rarely divided horizontally, *i. e.*, into supreme and subordinate departments, and this enormously increases the executive power of the government. The execution of the laws, as well as their interpretation, is, generally speaking, entrusted to the appointees (direct or indirect) of the central government. Chili is, or was before her recent accession of territory, divided into fifteen provinces, each of which is subdivided into departments. The provinces are governed by intendents, appointed by the president for three years; these offi-

63. Note the features of the Chilian government? What is said of the centralization of power? Of the division of executive power and responsibility?

cers appoint and control their governors of departments and other ordinates, so that the entire government is subject to the party in power.

64. Comparison.—The government of Chili resembles that of France in point of centralization as well as in many points of detail. It differs from France in choosing its president through an electoral college, apart from its legislature, and also in having no life senatorships. But its chief point of difference from France and resemblance to the United States is its definite term of office. Each administration (barring a revolution) lasts five years, and the cabinet and council of state are not responsible as in France to an adverse vote of the assembly and can only be displaced by individual impeachment.

65. Origin and History.—Chili first proclaimed her independence of Spain in 1810, but did not succeed in establishing it until April, 1818. Popular dissension as to the form of government to be adopted in the new state, weakened the Chilians and gave the Spanish party in Peru a chance to regain its authority in Chili. But here the state of Buenos Ayres, which had been more successful in its revolution, lent its aid to the Chilian patriots, and by defeating the royalist army at Chacabuco, February 12, 1817, drove it from the capital and permitted the reassembling of the congress. The form of government then set up consisted of a director and five senators. Under this government and aided by the army of Buenos Ayres under Gen. Don Jose de San Martin, the Chilians, after suffering serious repulses, finally routed the royalist army on the plains of Maypo, April 5, 1818. They then proceeded to carry the war into Peru, inciting that country

64. Wherein is the government of Chili like that of France? Wherein like that of the United States?

to proclaim its independence July 28, 1821. Not until the rule of the Spaniard in South America was broken, did Chili feel safe in laying down her arms.

As a Spanish colony, Chili was governed by a viceroy and audiencia like those described in the case of Mexico. After the revolution the form of government was that of a director or dictator, with an advisory senate. Gen. Don Bernardo O'Higgins, a Chilian by birth and an Irishman by descent, was the first director, and to his statesmanship no less than to the wisdom and valor of Gen. San Martin, the success of the republican cause is due. Since the adoption of the constitution in 1833, the government has been, generally speaking, well administered, and the country one of the most prosperous in the southern hemisphere.

66. Republica del Peru.—The government of Peru is pronounced by its constitution, proclaimed in 1867, a popular representative republic. The constitution, apparently modeled on that of the United States, divides the functions of government into legislative, executive and judicial departments, vesting the legislative power in a senate and house of representatives, the executive in a president, and the judicial in a system of courts which, being the product of Latin jurisprudence, naturally bears more resemblance to the French judiciary than to that of the United States. Peru is divided—or was before the recent conquest by Chili—into twenty-one departments and these into sixty-one provinces. The senators, two from each department, are elected by the council of the department. The representatives are also chosen indirectly, being elected by a provincial electoral college composed of rep-

65. Give the history of the formation of the Chilian state?

66. What is the nature of the Peruvian constitution? Upon what was it modeled? What is said of its courts? Of its local government?

representatives of the parishes. The president is chosen for four years by a direct vote of the people. He is obliged to exercise his executive functions through the members of his cabinet, whom, however, he changes at his pleasure. The local government is carried on by prefects, sub-prefects and governors, ruling over department, province and district respectively, and each appointed by, and responsible to, his immediate superior.

The constitution of Peru may be considered suspended at present owing to the disorganized state of the country. Yet its forms are observed, and its violations probably excused on the plea that "war powers" are always implied in the constitution of a free state.

67. **Comparison.**—The government of Peru is in general form modeled on that of our country, but in detail and in practice it is quite unlike our system of government. Its judiciary and local political system might have been borrowed from France, but like Chili, it has, in theory, at least, adopted the principle of a fixed term of administration and executive independence of the legislature.

68. **Origin and History.**—The republic of Peru, one of the oldest of the Spanish colonies in America, issued its declaration of independence July 28, 1821, but it was not till after a war protracted till 1824, that the country gained its actual freedom from Spanish rule. The constitution proclaimed in 1828, as well as that now existing which was promulgated August 31, 1867, was modeled on the constitution of the United States. Its working has been seriously interfered with

67. What are its points of resemblance to the government of France? To that of the United States?

68. What is said of the history of this state?

by revolution and anarchy, so there has been no chance for the peaceful development of a satisfactory system of government.

69. Republica Boliviana.—The constitution of Bolivia vests the executive authority in a president elected by the popular vote, for four years, and the legislative power in a congress of two chambers, elected by universal suffrage, and in a third house, the chamber of censors, the members of which are appointed for life. The president is assisted in his executive functions by a president of the council or vice president, appointed by himself, and by a ministry of four departments. The system of government is more like that of France than that of Peru.

70. Origin and History.—The constitution of the republic, which bears date August 25, 1826, was drawn up by Gen. Bolivar, the Liberator, whose name was adapted for the new state, previously a province of the La Plata, and known by the name of High (or upper) Peru. "It was a compound of all possible political institutions, ancient and modern," writes Mr. Hassaurek. "Bolivar very modestly said of it, that it combined the political wisdom of all ages and nations. It teemed with visionary crotchets, and contained but one sound principle—that of religious toleration—which was subsequently abandoned." Important modifications were made in this constitution in 1828, 1831, and 1863.

"The fundamental law of the republic," says the Statesman's Year Book, "ordering the regular election of the chief executive every four years, has seldom been carried out since the presidency of Grand Marshal

69. What are the chief features of the government of Bolivia?

70. By whom was the constitution of this state framed? What is said of its nature? Of its history?

Santa Cruz, who ruled Bolivia from May, 1828, till his death, January 20, 1839. Subsequently the supreme power was almost invariably seized by some successful commander, who, proclaimed by the troops, instead of chosen by the people, was compelled to protect his office by armed force against military rivals. From 1867 to 1870 there was an almost uninterrupted civil war, which reached its height in 1869, when Gen. Melgarejo for a time assumed the government after the execution of a rival candidate, Gen. Belzu." The next president was Gen. Ballivian, who died in 1874, and was succeeded by Dr. Thomas Frias, who ruled till the outbreak of a new insurrection, May 4, 1876. Gen. Daza then became president, only to be himself deposed in May, 1880. His successor was Dr. N. Campero.

71. Republica del Ecuador.—The present constitution of Ecuador was adopted in 1861. By it the legislative power is given to a senate and house of representatives, both elected by universal suffrage for two years, the term of office of one-half of each house expiring annually. Each of the ten provinces elects two senators and one representative for every 30,000 inhabitants, or fraction over 15,000. The executive is vested in a president elected every four years. He is obliged, in certain cases, to obtain the consent of the council of state, consisting of the vice president, the cabinet of three ministers and three persons appointed by congress. The judicial power is entrusted to a system of judges elected by congress.

72. Comparison.—As will be seen, the government of Ecuador is quite like our own, in the vertical division of powers. The executive powers of the central government are, however, so complete and far-reaching, and the usurpations on the part of the chief

71. To whom are the powers of government in Ecuador entrusted?

magistrate so frequent, that, in spite of the system of co-ordinate powers, we are told, there is but one power in the state—that of the man who for the time has secured the obedience of the soldiery.

73. Origin and History.—The republic of Ecuador was constituted May 11, 1830, in consequence of a civil war which separated the members of the Central American free state, founded by Bolívar on the ruins of the Spanish colony and the kingdom of New Granada. The history of the state is marked by the same alternation of despotism and anarchy, that characterizes the record of other Spanish-American states. The dictatorship of President Gabriel Garcia Moreno, which lasted from 1861 to 1875, furnished the nearest approach to a permanent government. Moreno was assassinated, and Antonio Borrero succeeded him, only to be overthrown by Don Jose de Vientemilla, who claimed to be elected president in 1876, and who, July 10, 1878, had himself proclaimed dictator for an unlimited period. He was deposed in 1883.

CHAPTER X.

CENTRAL AMERICA.

74. Central American Republics.—The case of the Central American republics forms a suggestive contrast on the one hand to that of the United States, and on the other to that of Mexico. Our country is a federation of co-equal states, with strictly defined rights, which they jealously defend. Mexico is a federation of states which have yielded to the encroach-

72. Wherein does the government resemble our own? Wherein does it differ?

73. Give the origin and history of the state of Ecuador?

74. What is said of the Central American republics?

ments of the central government. Central America is the disorganized remnant of a federation, the component states of which were unable either to maintain their individuality in the union, or to reconcile themselves to absorption in a centralized government. The five independent republics of Central America are Guatemala, Honduras, Nicaragua, San Salvador, and Costa Rica.

75. Republica de Guatemala.—The existing constitution of Guatemala was proclaimed October 2, 1859. By its terms the legislative power is vested in a single chamber of fifty-two deputies, and in a council of state chosen by this chamber, with the approval of the president. The powers of government are very centralized, making the will of the president virtually supreme, during his administration of four years.

76. Republica del Honduras.—The organic law of the republic of Honduras is a charter proclaimed in 1865. It establishes a legislature of two houses, a senate of seven members and a chamber of deputies of fourteen members. Elections for two years occur annually, one-half (as nearly as possible) of each house retiring in that order. The executive authority rests with a president (elected for four years), subject to the supervision of a council of state, consisting of two ministers appointed by the president, one senator elected by the joint vote of the houses of congress, and the judge of the supreme court. This council has legislative authority during the adjournment of congress, subject to revision on the reassembling of that body. The president has an absolute veto on all legislation.

77. Republica de Nicaragua.—The Nicaraguan constitution, proclaimed August 29, 1858, establishes a senate of ten members, two from each department, and

75. How is Guatemala governed?

76. Describe the government of Honduras? '4

a house of eleven members, one for every 20,000 inhabitants, both to be elected by popular suffrage, the former for six and the latter for four years. The president, who is also elected for four years, exercises his functions through a cabinet of responsible ministers, composed of the four departments of finance, foreign affairs, public instruction, and war and marine. The president is made ineligible for a second consecutive term of office, and the same prohibition is applied to members of congress, who are restricted to two terms. Still another check is placed on the legislative power in requiring a two-thirds vote, and the approval of the president, to enact any law.

78. Republica de San Salvador.—The republic of San Salvador is governed nominally under a constitution proclaimed in March, 1864, but undergoing frequent alterations through internecine war. The law-making power is entrusted to a senate of twelve members, elected one-half every second year, and a house of representatives containing twenty-four members elected annually. The presidential term was first fixed at six years, and in 1867 shortened to four years, but perennial revolution has regularly interfered with the peaceful completion of either term of office. The president's cabinet consists of two ministers, one having charge of the interior, war and finance departments, and the other of those of foreign affairs and public instruction. Universal manhood suffrage is established except in case of domestic servants, temporarily disfranchised, and persons in the employ of foreign powers, who are permanently disqualified. A property qualification is, however, required, both of the executive and the members of the legislature.

77. What political system is established by the Nicaraguan constitution?

78. What is said of the government of San Salvador?

79. Republica de Costa Rica.—Barring a strong tendency to revolution, the republic of Costa Rica is governed under a constitution bearing date December 22, 1871. Its congress of one chamber—called the Congreso Constitucional—is chosen by electoral assemblies representing the people, in single electoral districts, and the president is elected in the same manner. Members of congress are chosen for four years, but as one-half retire every other year, elections occur biennially. The president, who is also chosen for four years, is assisted in his duties by two vice presidents, and these are elected annually by the congress, over which they alternately preside. The supreme judicial power is vested in a high court of justice, which is formed by the union of two appellate courts. The legal code is an amalgamation of Spanish and French law.

80. Comparison.—The form of government existing in Central America is the Spanish-American adaptation of the government designed by the founders of our republic. It is very much like the political system which obtains in South America, differing from that of our country in the centralization of executive power, and from France in administration or fixed-term principle, and in the general disposition shown to make the president independent of the favor of the legislature. The council of state, though similar to the French ministry in sharing executive responsibility, differs from it in being practically independent of the legislature, and often in being composed almost entirely of the personal adherents of the president himself.

79. How does the constitution of Costa Rica differ from that of other Central American Republics?

80. Compare these republics with the United States. With France? What is said of the council of state?

81. History of Central American Politics.—Central America remained under Spanish rule from the time of its conquest in 1525 until 1830. All parties joined in the revolutionary movement, the royalists in the hope of establishing a monarchy and the liberals with the intention of forming a republican confederacy after the model of the United States. The liberals proved the stronger, but the royalists, unwilling to submit, asked the assistance of the Mexican Emperor Iturbide. A Mexican army invaded Guatemala and the fugitive republican congress could only retaliate by decreeing the annexation of Central America to the United States. The shortness of Iturbide's career relieved the country from the necessity of choosing between annexation to Mexico and annexation to the United States, but the precedent was set, and thereafter each faction appealed to some foreign ally against the rule of its opponents. For forty years England and the United States exercised a quasi-suzerainty over Central America through influence over, and championship of, the contending factions. This foreign interference culminated in the filibustering expedition led by William Walker in 1856. This was a band of volunteers in response to a frantic appeal to the United States by some faction, hard pressed by its opponents. After Walker's defeat, good sense impelled foreign countries to refrain from further intermeddling.

The first form of government established by the Central American republics was a federation. This was dissolved in 1837-39, since which several attempts have been made to renew it, but in vain. Short-lived federations have been formed by Nicaragua, San Sal-

81. Give the history of Central American politics. Of the attempt to establish a federation?

vador and Honduras, chief of which was the federation of 1849, formed at the instance of the United States minister acting under instructions from Washington, D. C. But the administration of President Taylor giving place to that of President Fillmore, a new diplomatic agent was sent, who, in agreement with the English consul general, refused to recognize the federation, and insisted on being received by the republic of Nicaragua. In 1872 another international conference was called to discuss the question of union, but the languid indifference shown by Nicaragua is said to have discouraged it. Guatemala, which has always been opposed to entering a bundesstaat, has of late years repeatedly urged the formation of a staatenbund, which should give the republics uniform foreign representation, a joint telegraph and postal system, and render possible many important reforms.

Specifically, the republics have had a very similar political history, in which the tendency to armed revolution has prevented the growth of any abiding political institutions. A staatenbund which would guarantee the different states against revolutions, would be a decided step towards reform.

CHAPTER XI.

PARAGUAY, URUGUAY, AND THE WEST INDIAN REPUBLICS.

82. *Republica del Paraguay*.—Until within the last twelve years, Paraguay was styled a republic by courtesy only; since, whatever name she assumed, her government was that of an absolute though elective monarchy. The present constitution, proclaimed November 25, 1870, was modeled on that of the Argentine Confederation, and vests the legislative power in a sen-

ate and house of representatives, and the executive in a president elected for a term of six years.

83. Origin and History.—The state of Paraguay gained its independence from Spanish rule in 1811, and at the same time separated from the viceroyalty of the La Plata. A congress assembled the following year and confided the administration of affairs to two consuls, Yegros and Francia. In 1814, the last-named consul, Dr. Jose Gaspar Rodriguez Francia, had himself proclaimed president, first for three years, and afterward for life. His government was autocratic and lasted until his death in 1840. It was succeeded by the joint consulate of Carlo Antonio Lopez and Marianna Roque Alonzo, nephews of the late president. Three years later the form of executive was again changed and Lopez was elected president for ten years. He was re-elected in 1854 for a similar term, but died in 1862 and was succeeded by his son, whom he had appointed vice president. Don Francisco Solano Lopez continued in power until 1865, when he began war with the surrounding nations of Brazil, the Argentine Confederation and Uruguay. The war lasted for five years, when March 1, 1870, Lopez was defeated and killed at the battle of Aquidaban, and the Paraguayan dictatorship came to an end.

Of the old constitution of Paraguay, Thomas J. Page, U. S. N., writes in 1853: "Paraguay had a constitution when Francia was made dictator. She has one now, perhaps, for I could learn nothing officially. But that avails nothing. The constitution is interpreted, the judiciary, elections and congresses are alike controlled, by the president, who governs with an authority as un-

82. What is said of the government of Paraguay? Of the present constitution of that state?

83. Give the history of the Paraguayan republic. What was the effect of its former constitution?

questioned as if he were supreme dictator. The commandantes of each *jurisdicción* are appointed by him. These officers, in turn, nominate the delegates for congress, allowing a certain representation to each *partido*; and the congress chooses the president, who is thus elected *per se*."

84. Republica Oriental del Uruguay.—The republic of Uruguay is governed under a charter proclaimed July 18, 1831. By its terms, the legislative power is intrusted to a parliament of two houses, which meets in annual session extending from February 15, to the end of June. The upper house consists of ten members and the lower house of 39. When the parliament is not in session its powers are wielded by a permanent committee of two senators and five representatives. The executive power is given by the constitution to a president elected for four years. There is a vice president who, as in this country, is elected for the same term and is ex-officio president of the senate, but has no other political duty. The president is assisted by a cabinet of four secretaries, or heads of departments. In theory, the government seems modeled on that of the United States.

85. Origin and History.—By reference to Section 38, it will be seen that Uruguay, under the name of the Banda Oriental, or eastern frontier, was at first included in the viceroyalty of the La Plata; that it was claimed and occupied by Brazil, and that after a war between La Plata and Brazil the independence of Uruguay was decreed by both states as a condition of peace. Its existence has been a checkered one, being distracted by wars both foreign and civil. Its chief industry—its only industry, in fact—is that of cat-

84. To whom does the Uruguayan charter entrust the powers of government?

85. What is said of the history of this state?

tle raising, and the country is in a very primitive stage of development.

86. West India Republics.—Leaving the main land of America we note on an island in the West Indies two republics, which, if the form of government were strictly the product of the people, might be expected to present a unique study. The aboriginal race has well nigh disappeared in Hayti, but the French, Spanish and negro races have from the first contended for the mastery of the island. But the outward semblance of a form of government is easily transplanted, and the real political institutions, despotism and anarchy—usually the product of race conflict—are very much the same wherever we find them.

87. Republique de Hayti.—The republic of Hayti is governed, nominally, under a constitution proclaimed June 14, 1867. By this the law making power is vested in a national assembly of two houses, the senate and house of commons. The members of the commons are chosen by a direct vote of the people for a term of three years, and these, when elected, choose the senators (who hold office for two years) from a list of eligible candidates presented by the electoral colleges. The executive power is “in the hands of a president, who, according to the constitution, must be elected by the people, but who, in recent years, has generally been chosen by the national assembly, and in some instances by the troops or by party delegates acting as representatives of the people.” Barring a revolution, the president holds office for four years. He is assisted in his administrative duties by four secretaries or heads of departments.

88. Republica Dominica.—The republic of

86. By what races were the West Indian republican states founded? What is said of their nature?

87. What is the character of the government of Hayti?

San Domingo still retains its original constitution of 1844, but this was modified previous to re-adoption, in 1865, after the Spanish occupation. Like Hayti it has a congress of two chambers, but these—styled respectively the Consejo Conservador and the Tribunado—are chosen by indirect election, with restricted suffrage, for a term of six years. The president is also chosen, for the same term, by indirect election, and the government further differs from that of Hayti in being less centralized, its provinces maintaining councils with limited legislative power. The president is assisted by a cabinet of five secretaries, chosen as in this country by himself with the approval of the upper house of congress.

89. Origin and History.—The island now best known as San Domingo, was, when discovered by Columbus in 1492, called by its natives Hayti, or the mountainous land; but the discoverer preferred to call it Hispaniola, or Little Spain. The name San Domingo comes from the city of that name founded August 4, 1434, and named in honor of the day, or, some think, in honor of the father of Columbus. The island was first colonized by the Spaniards, and about the middle of the seventeenth century, by the French buccaneers also. The question of boundary was the cause of almost incessant warfare between the colonies until, by the treaty of Ryswick, the west part of the island was ceded to the French. During the French revolution a triple contest arose in the colony between whites, mulattoes and blacks. This extended to all parts of the island, and resulted in 1801, in the supremacy of the negro element under Toussaint l'Ouverture, who then proclaimed the island independent. Captured by the French, Toussaint ended his life in prison at Besancon. His successor, Jean Jaques Dessalines,

88. How is San Domingo governed?

defeated the French and made himself first governor, and afterward emperor of the island. Shot by his own troops in 1806, he was succeeded by Petion and Christophe, who divided the sovereignty of the island between themselves until 1820, when it was united in the person of their successor Gen. Jean Pierre Boyer. Meanwhile Spain had maintained a hold at San Domingo city and had on the fall of Napoleon obtained a nominal claim to the French part of the island. Gen. Boyer extinguished this by the capture of San Domingo, but some years later weakly conceded the validity of the French claim to indemnity, to purchase which he pledged the credit of the island for 150,000,000 francs. This led in 1843 to the secession of the Spanish part of the island, which disowned any liability to France and refused to participate in its payment. This was in 1843. The new state assumed the name of Dominica, the old state retaining that of Hayti, the aboriginal name for the island, which had been revived by Des-salines.

The subsequent experience of these republics was, and still continues to be, disheartening. Distracted by wars and civil feuds, the people have made little progress in the arts of peace and in the development of the resources of the island.

Naturally but little political progress has been made. The people have become more free, the life presidency with almost despotic power, possessed by Petion and Boyer, having given way to more democratic institutions; but this freedom has led to idleness and lawlessness rather than peace and prosperity.

89. Give the origin and political history of these republics. Note the effect of the government on the development of the country.

CHAPTER XII.

ORANGE FREE STATE, SAN MARINO, ANDORRA, BELGIUM,
AND BRAZIL.

90. Orange Free State.—The republic of the Orange Free State is situated in South Africa, and is bordered as follows: On the west and northwest by Griqualand West and Betchuanaland; on the north and northwest by the Transvaal republic; on the east by Natal, and on the south by Basutoland and the Cape Colony. The constitution of the state vests the legislative power in a *Volksraad* or assembly of fifty-two members, who are elected by the people for a term of four years. As one-half the assembly retires every second year, biennial elections are necessary. The executive power is entrusted to a president elected by the suffrage of burghers for a term of five years. He is assisted by an executive council, of which the landdrost (or district chief magistrate) of Bloemfontein, and the government secretaries, are ex-officio members; and three other members are elected, every third year, by the Volksraad. The landdrosts, who are both executive and judicial officers, form the judiciary of the republic.

91. Origin and History.—The Orange Free State was settled by Dutch Boers from the Cape, who framed a popular system of government. In 1845 England asserted her right over the land, and in 1848 put down a rebellion of the Boers and established a resident minister at Bloemfontein. But the possession was found so unsatisfactory and expensive that in February, 1854, the protectorate was withdrawn and the in-

90. Where is the Orange (River) Free state? How is it governed?

91. What is the history of this state?

dependence of the republic established. Since this time the Free State has had numerous boundary disputes with the native tribes, but has otherwise been peaceful and prosperous.

92. Republica di San Marino.—The republic of San Marino comprises an area of 17 square miles, which is wholly enclosed within the kingdom of Italy, and contains 8,000 inhabitants. The legislative power of this little republic is vested in a "Princely and Sovereign Grand Council," composed of sixty members, who are elected for life, with power to fill vacancies—the nobles, citizens and rural proprietors being represented in equal proportions. The executive power is wielded by two captains-regent, who are chosen by the council every six months. There is also a kind of senate composed of twelve members of the council, of which two-thirds are annually renewed. The captains-regent are assisted by two secretaries of state, one for foreign affairs and one for the interior. For local administration there is an officer styled the syndic, who is appointed in each commune or village.

93. Origin and History.—San Marino was founded by St. Marinus, in the fourth century. Situated in an almost inaccessible valley on Mt. Titanus, it has always maintained a degree of independence, though it has often been obliged to submit to a foreign protectorate. Up to the end of the fourteenth century the republic was governed by the Arringo, an assembly composed of the heads of families. By this body the council of sixty was established, and by similar adaptations the unwritten constitution of the state has been gradually developed.

94. Republic of Andorra.—In a valley of the eastern Pyrenees is situated another little free state,

92. What is the government of the state of San Marino?

93. What is said of the origin of its constitution?

which has preserved its independence from ancient times, simply by inaccessibility. The state of Andorra, covering a territory of 300 square miles, and now containing a population variously estimated at from 4,000 to 12,000, was declared independent by Charlemagne, in reward for services rendered him by its inhabitants, when he was marching against the Moors. It still remains free except for the traditionary rights of the bishop of Urgel, which, though they interfere with the autonomy of the state, detract little from its sovereignty. The republic is governed by a sovereign council of twenty-four members elected by the people, and by a syndic or chief executive officer, chosen for life, by the vote of the council.

95. **Royaume de Belgique.**—According to the charter of 1831, Belgium is “a constitutional, representative and hereditary monarchy.” The royal succession is in the direct male line in the order of primogeniture. The king is invested with a degree of legislative power, as well as with full executive and veto powers, but his acts must be countersigned by ministers who are “responsible” to the parliament. This parliament consists of a senate and chamber of representatives, both elected by a direct vote of the people, the former for eight and the latter for four years. The number of representatives is apportioned according to population, and cannot exceed one member for every 40,000 inhabitants; the senate membership is one-half that of the house, and is apportioned on the same basis. The right of suffrage is restricted by a taxpaying qualification. The lower house is granted the parliamentary initiative and preliminary vote in all cases relating to the receipts and expenses of the state and

94. Describe the republic of Andorra.

95. What is the nature of the Belgian constitution? To whom are the duties of government entrusted?

the contingent of the army, and the proceedings of the senate, during the time the house of representatives is not sitting, are invalid. Both houses retire one-half at a time, which brings a deputy election every two years, and a senatorial election every four years, but the king has power to dissolve both houses at any time, either simultaneously or separately, and in such case an election for a full house must be held within two months.

96. **Comparison.**—The government of Belgium was evidently modeled on that of England, but it is, in theory at least, more democratic. The powers of the sovereign are restricted as in England by the ministerial responsibility principle, though the individual responsibility of each minister for the acts countersigned by him, tends to make the ministry less coherent. There is no aristocratic principle in the government of Belgium, and but one hereditary member of parliament, the crown prince, who, if of age, is ex-officio a senator. Except for its property qualification, the government may be reckoned more democratic than our own, since the direct election of the senate, and even the power of dissolution granted to the king, tend to make the will of the people more directly effective.

97. **Origin and History.**—Belgium secured her independence of Holland by rebellion in 1830-31; having framed her constitution, she selected as king Prince Leopold of Saxe-Coburg. The development of the political institutions has been affected somewhat by the question of religious versus secular education, and the consequent conflicts between the Progressionists and the Ultramontanes.

96. How does the Belgian constitution compare with that of England? With that of the United States?

97. What is said of its origin?

98. **Imperio do Brazil.**—The constitution of Brazil, framed under the direction of Dom Pedro I, was adopted March 25, 1824, and revised in 1834. It establishes a monarchical, constitutional and representative government, the powers of which are divided into four classes, the legislative, the executive, the judicial and the “moderating” power. The last named seems little more than the usual royal prerogative. It is vested exclusively in the emperor, and consists of the nomination of senators and ministers of state, the convocation and prorogation of the general assembly, and the dissolution of the chamber of deputies. Also the power to give or withhold his approval of public laws—the veto power in short—which is suspensory only, for if a measure passes three successive parliaments, it becomes a law without the imperial sanction. The pardoning power and the right to supervise the provincial councils during the recess of the chambers, are also mentioned in this class. All these powers are exercised by monarchs in other countries as pertaining to their office.

The executive power is also vested in the emperor, but it must be exercised through the medium of his ministers, who are responsible, individually and collectively, to the assembly. In addition to the ministry, there is a council of state, the members of which are appointed for life. This council is to be consulted on all matters of serious import, and its members may be impeached for “counsel willfully tending to the prejudice of the state.” (The council of state was established in 1841, and is an imitation partly of the English privy council and partly of the Spanish colonial *audiencia*.)

The general legislative assembly of the empire consists of two houses—a senate and chamber of deputies. Senators, who number 58, and hold office

for life, are nominated by provincial electoral colleges in triple lists, from which the emperor or his ministers make the appointments. The chamber of deputies, numbering 122, is elected by a direct vote of the people every four years, or oftener in case of dissolution.

99. Comparison.—The government of Brazil bears strong resemblance to that of Belgium and England. Nor does it differ widely, except in the hereditary title of its executive and in the life tenure of its senators, from the government of the United States. The personal rights of citizens and the right of local self government, are especially protected, and the example of France shows that there is nothing in the so-called moderating power inconsistent with the nature of a republic.

100. Origin and History.—The revolt of Brazil from the dominion of Portugal came about in this way: The Portuguese royal family, which in November, 1807, removed its court from Lisbon to Rio Janeiro, re-embarked for Europe in April, 1821, leaving in Brazil a seemingly loyal and contented people under the regency of Dom Pedro d'Alcantara, the crown prince of Portugal. But the Portuguese cortes was jealous of the privileges granted Brazil and particularly jealous of the state maintained by the regent, and soon abolished the royal court at Rio Janeiro, and ordered the prince back to Portugal. Dom Pedro at first seemed inclined to obey, but the Brazilians objected, and, declaring their independence, proclaimed the prince constitutional emperor. Portugal could not or at least did not fight to retain its supremacy, so the revolution was easily accomplished. But scarcely was the constitution of

98. How are the powers of government divided by the Brazilian constitution? What is the "moderating" power? To whom are the other powers entrusted?

99. How does the government of Brazil compare with that of other countries?

the new empire framed than the rule of the emperor became unpopular. Popular agitation culminated, in 1831, in an insurrection in the capital which demanded the reinstallment of a ministry just dismissed, on the plea that it "had the confidence of the people." To this Dom Pedro I. would not consent, and, seeing no other way out of his trouble, abdicated in favor of his son, Dom Pedro II., a lad of six years.

Dom Pedro I. has been styled the "Washington of Brazil;" though his private life was not as stainless as that of our national hero, his share in founding the empire entitles him to the name of Father of his Country. The policy pursued by his son has been more deferential to the popular will; and some constitutional changes have been made in accordance with this policy. The latest amendment was in 1881, when the election of deputies was made direct, instead of, as formerly, through an electoral college. Brazil has suffered little, either from misgovernment or anarchy. Popular agitation has always been in favor of the constitution and the emperor, contenting itself with the overthrow of an unpopular ministry.

CHAPTER XIII.

PORTUGAL, SPAIN, THE NETHERLANDS AND DENMARK.

101. **Reino de Portugal de Algarves.**—The constitution of Portugal and Brazil, being framed by the same race at almost the same time, naturally resemble each other. The fundamental law of Portugal is the "carta constitutional" granted by King Pedro II. in 1826, after his highness' return from Brazil. It recog-

100. Under what circumstances did Brazil secure her independence? What is said of Dom Pedro I's reign? Of that of Dom Pedro II?

nizes four powers in the state, legislative, judicial, executive and moderating, the two last named being vested in the sovereign. Executive responsibility, however, rests entirely with the ministry, which is dependent on the caprice of the majority in the lower house of parliament. There is also a council of state, but this is an unimportant factor, sharing neither power nor responsibility. The parliament is in two houses, the chamber of deputies and the house of peers. The peers are, generally speaking, appointed by the king for life, but the constitution recognizes an hereditary peerage, pertaining to certain families. This was partly abolished by act of May 27, 1864, which required a yearly income of \$25,000 and an academical degree of any one succeeding to the peerage. The members of the second chamber are chosen by popular suffrage, with a property qualification. The representation is apportioned by districts, continental Portugal returning ninety-four, and Madeira and the Azores five.

102. Origin and History.—The agitation which ended in the establishment of a constitutional and representative government in Portugal was begun by Don Bernardo de Sepulveda, at Oporto, in 1820. A parliament was summoned, which the king, returning from Brazil the following year, very wisely recognized. This cortes framed the existing constitution, which was ratified and promulgated April 29, 1826.

Free institutions were not, however, so easily established. Don Miguel, a younger son of Joan II,—the crown prince having remained in Brazil—claimed the inheritance by divine right, refusing to acknowledge the cortes. The wars between his adherents and the

101. What are the provisions of the Portuguese constitution? How do Portuguese institutions compare with those of Brazil?

102. What was the origin of the constitution of Portugal?

constitutional party which declared in favor of Don Miguel's sister Maria, distracted the kingdom for some years. The constitutionalists triumphed, but the struggle between the crown and parliament continued up to the accession of King Luis I, in 1861. The right of parliament to control the executive seems at length to be definitely established.

103. Las Espanas.—The present organic law of Spain enacts that the state shall be a constitutional monarchy, the executive resting in the king and the law-making power "in the cortes with the king." The cortes are composed of a senate and congress equal in authority. There are three classes of senators—senators by hereditary right, senators for life to the number of 100, appointed by the crown, and 130 senators elected by the corporations of state and by the largest payers of contributions. Elective senators must be renewed by one-half every five years, and by totality every time the king dissolves that part of the cortes. The hereditary senators are the sons of the king and crown prince, peers in possession of \$12,000 a year, captain-generals in the army and admirals in the navy, and other high officials of church or state. The members of the lower house are elected every five years by the people through electoral juntas, the representation being one for every 40,000 free inhabitants paying \$25 yearly taxes. The king may dissolve either senate or congress, but in such case the new assembly must convene within three months. The king and each of the chambers can take the initiative in framing laws. The king's person is inviolable, but his decrees must be signed by his ministers who are responsible both in English and American fashion. The king's veto is absolute.

103. What is the government of Spain? In whom are its powers vested? What are the respective powers of its king and cortes?

104. **Origin and History.**—Constitutional government in Spain is a matter of the present century. The people got their first ideas of constitutional freedom during the Napoleonic conquest, and the attempts of King Ferdinand VII to restore the Bourbon despotism were resisted by the cortes. The corrupt reign of Queen Isabella, who came to the throne a mere child in 1833, was marked by the triumphs of the representative principle and the revolution of 1868 which dethroned Isabella and established the republic, was but a natural outgrowth of Spanish liberalism. The reaction which restored Alfonso, re-established many remnants of the despotic rule, but these are gradually being removed by the pressure of popular opinion. Nor does the king—despite his descent from the Bourbon race who “never learn and never forget,”—seem opposed to the progress of freedom. The rise of the Constitutional Liberals to power in 1881 was promoted by his act, and the recent (1882) movement to restore the constitution of 1869—eliminating all legal recognition of “divine right” from the constitution—receives at least his amiable toleration.

105. **Koningrijk der Nederlanden.**—By the fundamental laws of the kingdom of Holland (otherwise known as the Netherlands) the entire law-making power is entrusted to the States-general, an assembly of two houses. The upper house consists of 39 members, elected by the provincial councils, from among the most highly assessed inhabitants. The members of the house represent the people, being chosen at the rate of one deputy for every 45,000 of population. Election is by ballot and the suffrage is restricted by a small tax-paying qualification. Every two years

104. How old is constitutional government in Spain? What is said of its rise and progress?

one-half the members of the lower house retire by rotation and every three years one-third of the upper house do likewise. The lower house alone has the initiative of new laws, which the senate may approve or reject, but may not amend. The king has absolute veto power, but it is seldom, if ever, brought into practice.

The local administration is entrusted to the provincial and communal councils, which are chosen by the same class that elect the national chamber of deputies. The king, or his official representative, has full control of the executive power, both in national and local affairs. There is the usual provision of local and national courts for the administration of justice.

106. Comparison.—The political institutions of Holland resemble those of England and Belgium, even as they differ decidedly from those of Spain or Germany. The seat of power is in the chamber of deputies, over whose acts the senate and king exercise only a moderating power. Even the ministry—virtually created by the house—is debarred from active participation in debate, though it is conceded a “deliberative voice” in legislation.

107. Origin and History.—Before the 14th century there were in Holland no general political institutions. The count was all powerful; over the country districts he set his bailiffs and over the village his local judges. In the 13th century, when any great matter had to be discussed in a city, all citizens were summoned by the ringing of the great bell to the public square, and there decided the question by democratic vote. Justice was administered by a man’s peers, according to the Saxon code in the east, the Frisian in

105. Describe the constitution of Holland. To whom are the powers of government entrusted?

106. What countries have political institutions similar to those of Holland?

the north and the Frankish or Salian in the south—each district having its several customs. In time, the dependence of the counts on the towns for supplies led to concessions to the councils of burgomasters, and the material prosperity consequent on the extension of commerce in the 15th and 16th centuries, prompted the cities to demand a voice in the government. After an extended struggle with the nobles and the dukes of the house of Burgundy, the burgomasters extorted from the Duchess Mary the “Great Privilege” of March, 1477, which gave the States-general, representing cities and provinces, a voice in the government and full control of taxation. This was the beginning of the Dutch constitution; its development was by no means peaceful, but the “Great Privilege” was thenceforth the basis of the burgomasters’ claims to power.

The present constitution was formed in 1814, after the fall of Napoleon Bonaparte, who had annexed the country to France. It was thoroughly revised and re-proclaimed Nov. 3, 1848, and catching the spirit of that revolutionary year, it contemplates one of the most democratic of monarchies.

108. Kongeriget Danmark.—The Danish constitution vests the executive power in the king and his responsible ministers, and the right of making laws in the rigsdag or diet. The rigsdag consists of a landsthing or senate, and a folkething, or house of commons. Of the 66 senators, 12 are nominated for life by the crown, and the rest chosen for a term of eight years, by electoral bodies composed partly of the largest tax-payers in the country districts partly of deputies of the largest tax-payers of the cities and partly of deputies

107, What is said of the origin and history of representative government in Holland? What of that of the present constitution?

representing the entire voting population. The folkething consists of 102 members elected directly by universal suffrage, for a term of three years. The general arrangement of the political system is like that of Belgium. The local government is administered as in France, partly by appointees of the crown, and partly by representatives of the people.

109. Origin and History.—In early times the government of Denmark was far from despotic; the succession to the crown was even elective until the revolution of 1660. At that time, the crown, by allying itself with the people as against the nobility, greatly increased its powers and established a despotism that lasted until 1849. In that year a royal charter was granted, which, though afterward recalled, was modified and re-proclaimed in July, 1866, and forms the constitution of Denmark at present writing.

CHAPTER XIV.

ITALY, GREECE AND THE SLAVONIC KINGDOMS.

110. Regno d' Italia.—According to the constitution of the kingdom of Italy, the executive power belongs exclusively to the king, and the legislative power is shared equally by king and parliament. But as the king administers his government through a ministry subject to the majority vote of the chamber of deputies, there is little chance for the exercise of despotism. The parliament consists of two chambers—a senate comprising the adult princes of the royal house, and as many life senators, “over forty years of age, and eminent or wealthy,” as the king sees fit to appoint—also a chamber of deputies elected by the votes of the citi-

108. Who form the government of Denmark?

109. What is said of the early history of the Danish constitution?

zens who are twenty-five years of age and pay taxes to the amount \$12.50 per year. The duration of a parliament is five years, but the king has power to dissolve the lower house at any time, provided he summons a new parliament within four months. New laws may be proposed by either house, or by the king, but appropriation bills must have their origin in the lower house. The form of government resembles that of Spain.

III Origin and History.—The present constitution of Italy is an expansion of the “fundamental law” of the kingdom of Sardinia, granted by King Charles Albert to his subjects March 4, 1848. Previous to this Sardinia, like most other Italian states, had been under a despotism of two centuries’ duration. The Napoleonic conquest afforded a brief interval of constitutional government, and in 1820, the success of the Spanish revolution encouraged similar movements on the part of the citizens of Naples and Piedmont. But the “holy alliance” of the European powers decreed the subjection of Italian liberties, and it was not until 1848 that any of the states obtained a constitution. The concessions of Charles Albert of Sardinia were in such marked contrast to the action of other Italian sovereigns, who subdued their revolutionary subjects by the help of Austria and France, that thereafter the royal house of Sardinia became the nucleus of Italian liberalism. By bargain with France, Sardinia obtained Lombardy as part of the spoils of the Franco-Austrian war of 1859. The Garibaldian revolution of 1860 in Sicily and Naples had for its object union with Sardinia, and in 1866 Venetia, freed from Austria by the success of Prussia in the war of that year, also entered

110. What are the respective powers of the Italian king and parliament? How is the parliament elected?

111. Trace the progress of Italian unification. What was the origin of the existing constitution?

the union, and Vittorio Emanuele II. of Sardinia became king of Italy. The annexation of the Papal States by royal decree, October 9, 1870, completed the unification of Italy. Nor was this a mere federation, for the country is under one legislature, and each of its sixty-nine provinces is governed by a prefect appointed by the national administration.

112. **Kingdom of the Hellenes.**—The government of Greece is a constitutional monarchy with a strict division of executive and legislative powers, which are, respectively, entrusted to the king and the parliament of one chamber, called the Boule. The executive power is, however, exercised through a responsible ministry which, enjoying the confidence of both king and commons, both frames and administers the laws. The Boule is elected by manhood suffrage every four years, and meets annually for not less than three or nor more than six months. Every measure must, before adoption, be discussed and voted article by article thrice and on three separate days. Even this did not, in the mind of the framers of the constitution, secure sufficient deliberation, for they provided for a council of state empowered to criticise and amend all bills previous to their final passage. The council of state was found cumbersome and embarrassing to the ministry, and hence the government of late years has omitted the appointment of councillors, and allowed that body to lapse from lack of membership. The parliament of a single chamber distinguishes the Grecian government from that of most other countries. It is noteworthy, perhaps, that John Stuart Mill, in his work on representative government, suggests the substitution of a deliberative council for the customary senate or upper house of parliament.

112. What is the government of Greece? What is said of the division of power? What of the parliament? Of the council of state?

113. Origin and History.—Greece, a province of the Turkish empire since the beginning of the sixteenth century, gained its independence in the insurrection of 1821-29 and was by the treaty of London in 1830 declared a kingdom under the protection of England, France and Russia. Prince Otho of Bavaria was placed on the throne. He reigned for twenty-nine years, but gave so little satisfaction that his subjects rose in October, 1862, and expelled him. They then, with the consent of the protecting powers, elected as their king George, the second son of Prince Christian of Sleswig-Holstein-Sonderburg-Glucksburg, now King Christian IX of Denmark.

114. Knjazestvo Srbija.—By the constitution of Servia, the executive power is vested in the crown, assisted by a council of seven ministers, who are individually and collectively responsible to the nation. The legislative authority is exercised by two independent bodies, the "Soviet," or senate, and the "Skuptschina," or assembly. The former consists of seventeen members appointed by the crown from each of the seventeen departments into which the country is divided. The members of the assembly are elected by the people at the rate of one deputy to every 2,000 electors. The suffrage is extended to all men over twenty-one years of age, who pay direct taxes, and are neither domestic servants nor gypsies. There is a third legislative body, the Grand Skuptschina, which is a special assembly, four times as numerous as the ordinary assembly, but chosen by the same electors. This body is summoned whenever any question of great importance is to be settled. It is empowered to elect a

113. What was the origin of the Grecian kingdom? How did Otho become king? How did George succeed him?

114. How are the powers of government apportioned in the Servian state? How is the legislature elected? What is the Grand Skuptschina?

king in case of vacancy and, even in extreme cases, to create such a vacancy by dethroning the king.

115. Origin and History.—The present kingdom of Servia has been established during the present century. From the fourteenth century to the nineteenth Servia was governed by a pasha appointed by the sultan. From 1804 to 1829 there was a succession of revolts, led by Kara (or black) George and Milos Todorovitch Obrenovic, the founder of the present dynasty. By the terms of the treaty signed September 14, 1829, Milos was acknowledged prince of Servia, and by a subsequent firman of the Sultan, dated August 15, 1830, the dignity was made hereditary in his family. By the treaty of Paris, signed in 1856, after the Crimean war, Servia was allowed her claims to self-government, but she remained tributary to the Turkish porte until after the Russo-Turkish war in 1877. Her complete independence was established by the treaty of Berlin, July 13, 1878. In March, 1882, the prince of Servia at the solicitation of his assembly, assumed the title of king, which, however, did not include any increase of power.

116. Moldo-Wallachia, or Roumania—The Roumanian constitution vests the legislative authority in a parliament of two houses, the members of which are chosen by the people in indirect election. The executive power is entrusted to the king, but must be exercised through a council of seven responsible ministers. The royal veto is suspensive only, so that the government is on the whole a liberal one, bearing no little resemblance to that of Belgium.

The local government of the thirty-one provinces, consists of a governor appointed by the crown, and a

115. Give the history of the kingdom of Servia.

116. What is said of the national government of Roumania? What of its local government?

civil tribunal, a judicial body with executive powers.

117. **Origin and History.**—The Roumanians are decended from the ancient Dacians, and the Roman colonies sent into the country after its conquest by the Emperor Trajan. With the decline of Rome, the country became independent, but was again conquered and over run by the Magyars of the west. The race is, therefore, not purely Slavonic, though its language is easily understood by the Servians. Conquered by the Turks after the subjection of Servia, the people of Moldavia and Wallachia, the two provinces now united under the name of Roumania were allowed to retain their right of local self government, until the reign of the Sultan Achmed in the eighteenth century, when the sultans began to sell the office of "hospodar" of the northern provinces, to the highest bidder. The conflict between Russia and Turkey, released the Moldo-Wallachians from this thralldom, and the Crimean war left them tributary to the porte, but otherwise free. On the outbreak of the Russo-Turkish war of 1877, Roumania repudiated her allegiance to the sultan, and joined forces with Russia.

The union of Wallachia and Moldavia under the name of Roumania, was proclaimed December 23, 1861, the hospodar assuming the title of Prince Alexander John I. A revolution in 1866 forced the prince to abdicate, and a constituent assembly which framed the existing constitution, elected Prince Karl of Hohenzollern-Sigmaringen. The prince was crowned king, March 27, 1881.

117. When and how did Roumania secure its independence? When was the present dynasty founded?

CHAPTER XV.

MONTENEGRO, RUSSIA AND ISLAM.

118. **Despotisms.**—A government in which the people have no voice in the framing and execution of the laws, is called a despotism. Despotisms are of two kinds, patriarchal and hierarchal, the one claiming to be the father of his people, and the other the head of a theocracy. The claims of all despots to divine appointment or approval, may confuse this distinction, but cannot do away with it. Still another kind of despotism is the dictatorship sometimes established in free states. This, however, is usually temporary only.

Of the three kinds, the patriarchal despotism is necessarily the most autocratic. The despot by election is subject, as a last resort, to the will of the people. A hierarch is subject to the traditions of his church as interpreted by its priests. A patriarch, though he may employ religion to support his authority, is logically above religious duty, and rules less as the vicegerent of the Most High than as His earthly counterpart.

119. **Tchernagora or Montenegro.**—Montenegro furnishes us with a good instance of a patriarchal despotism. There is no constitution, but all political power is recognized as centering in and emanating from the person of the hospodar. He hears all cases and decides them according to his own moral standard. Previous to 1868 he made no distinction between public and private finance, possessing all the revenues of the state and being responsible for its debts. Since 1868, in accordance with the de-

118. What is a despotism? Describe the different kinds of despotism?

cision of a mass meeting of his subjects, he has kept separate accounts.

120. **Origin and History.**—Montenegro has risen from a bishopric of the Servian Empire, protected by inaccessibility from the conquering Turk. From 1697 to 1851 the vladikas, or prince-bishops, exercised both temporal and spiritual authority, but Danilo I., succeeding to power, resigned the office of bishop and assumed the title of hospodar, or prince.

121. **Empire of all the Russias.**—Russia furnishes a second example of patriarchal despotism. The whole legislative, executive and judicial power is united in the emperor, whose will alone is law. The only rules acknowledged as binding on the emperor are those of imperial succession, which is by regular descent, by the right of primogeniture, with preference of male over female heirs, subject to the proviso that the royal family must belong to the Greek church.

In his duties of administration, the emperor is assisted by a cabinet of four ministers and under these by four separate boards or councils. The first, the council of the empire, advises the emperor with regard to legislation, civil administration, and finance; the second, the directing senate, forms the supreme court of appeal, subject, of course, to the approval of the emperor; the third, the holy synod, superintends the religious affairs of the empire, while the fourth, the council of ministers, comprises the heads of the executive departments.

The local administration differs in the different provinces, the government having always allowed an—

119. What is the nature of the government of Montenegro?

120. What is said of its history?

121. Describe the government of Russia. How is the local government administered?

nexed countries to retain such of their laws and institutions as were compatible with the autocracy. The empire is divided into provinces and these are subdivided into districts. The governors of provinces and districts are advised and assisted by *zemstvos*, or boards elected by the people. These boards have neither legislative nor administrative authority, but they have the recognized right to advise the governor and to petition the imperial government against him, hence they are not without influence.

122. Origin and History. The government of Russia has been despotic from the earliest ages. The growth of the empire has been the extension of its authority rather than a progress toward liberalism. Alexander II did much to introduce the democratic principle in provincial and district government, the rural villages having already a democratic system approaching almost to communism. But, however these reforms may in the future affect the political system, they have not as yet been recognized as a basis of popular rights.

123. Osmanli Vilayet, or the Ottoman Empire.—The despotic governments of Islam are based upon the precepts of the Koran. State and church are allied, though not identical, and the head of the state is usually the acknowledged head of the church. The will of the monarch is absolute when not contrary to the teachings of the prophet—as expounded by the *ulema* (oo-lema—wise men) of the church. The frequent forcible depositions of Moslem rulers at the instance of their chief priests, show that they are practically held responsible for their use of power. In the government of the Ottoman empire,—subject to the teachings of the Koran and the will of the sultan, the law

122. What is said of history of this government?

consists of the codified decrees of the sultans from the founding of the dynasty. The legislative and executive authority is exercised in the name of the sultan, by two high dignitaries, the grand vizier, and the sheik-ul-Islam—the former the embodiment of the executive power, and the latter the director of ecclesiastic affairs and the legal adviser of the sultan. The sheik's "opinion," or authoritative interpretation of the Koran, is asked in all important cases, but as he is subject to the caprice of his sovereign, this gives him little independent personal power. These two officers, with the heads of executive departments, form the privy council, or imperial divan, also known as the sublime porte. Hence the term "porte" is often used as synonymous with the Turkish government. There is also a council of state with advisory powers, but beyond adding three members to the divan it has little influence. It contains, however, the germ of a representative council of the empire, and may hereafter become the basis of liberal institutions.

The local administration resembles that of Russia. The whole of the empire is divided into vilayets, or general governments; these are divided into sandjaks or provinces and subdivided into kazas or districts. The administrative officers are in every case appointed by the porte, but the lower in rank are under the direction of their superior officer, who is held responsible for them. Representative councils are elected to oversee and advise concerning the governments of the different grades, and in village affairs the people are allowed complete self-government. The judiciary is composed of a graded system of courts of the Sheri, appointed from the ulema by the general government, and of legal tribunals elected by the people in each province and district. The courts of the Sheri are administered by Moslems only and are intended to try

cases between persons of that faith. The elective judiciary represents Christians as well as Mohammedans and has jurisdiction in disputes between the Christian and Moslem subjects of the porte as well as in cases in which Christians alone are interested. The law is, however, generally speaking, the same, and the distinction of creed is not strictly kept. Appeal is made to the courts of the province, and from these to the sheik-ul-Islam or to the supreme court of justice established in 1868 at Constantinople.

124. Origin and History.—The Turks claim descent from Turk, who, according to their tradition, was the oldest son of Japhet. They come of the same primitive stock as the Tartars and the Mongols, and there seems little doubt that the Yakuts of the Lena Valley represent the same race. The first Turkish empire in Asia Minor was founded in the tenth century by Seljuk, who came from Turkestan. This empire was crushed by the Tartar hordes led by Genghis Khan in the thirteenth century, but was almost immediately reinforced by the migration of the Oghouz Turks from Khorassan, under Ertoghrul, whose son Othman founded in 1299 the present empire. The Turks as conquerors of Asia Minor and lower Europe, had no easy task in framing a system of government to adjust itself to many and diverse races and creeds. The plan of the government was simply that of an extended military command, in which all below the sultan were accounted equal, except as they found favor in the sultan's sight. There is no aristocracy in Islam, and though certain provinces will submit only to their hereditary chiefs, there is the-

123. Upon what are Moslem governments based? What check is placed on the will of the sovereign? What is the porte? What is said of the local administration? Of the courts of law?

124. What is said of the origin of the Turks as a people? What of the founding of the empire? Of the development of its institutions?

oretically no hereditary right in opposition to the sultan's will. The appointments of the porte are given to those who can rule and will support the administration with force if necessary. The entire government rests on a basis of force, which is by no means inconsistent with the precepts of the Koran.

125. Arjana, Eran, or Persia.—The form of government in Persia is similar to that of Turkey, being based on the Koran and the necessity of ruling a turbulent, half civilized people. The shah claims implicit obedience as the vicegerent of the Prophet Mohammed, and his commands are seconded by the priests when considered in accordance with the scripture. The executive power is administered by a divan, formerly consisting of but two officers, the grand vizier and lord treasurer, but in recent times comprising the heads of seven executive departments, as in European countries.

As in Turkey the local government is administered by appointees of the shah, except in the villages where the people choose a chief magistrate.

The administration of justice is less complex than in Turkey, since the Persians are nearly all Moslems of the Shi-ite sect. The dissenters comprise Armenian or Nestorian Christians, who are treated with tolerance, and Jews and Guebres (fire worshipers), who are oppressed.

126. Origin and History.—Ancient Persia was illustrious at the very earliest period of authentic history, but this glory declined after the defeat of Xerxes, and ended with the conquest of Alexander. Persia rose again in the third century of our own era and until the seventh century enjoyed great prosperity. Then

¹²⁵, What is the form of government in Persia? How does it compare with that of Turkey?

¹²⁶. What is the history of the Persian government?

it was conquered by the armies of Mohammed, and an Arab dynasty was founded, which gave way in the eleventh century, to the rule of the Seljukian Turk. This was followed by the invasions of Genghis Khan and Tamerlane, after which Persia, under the Sofee dynasty, became powerful, and in 1739 invaded India. The present dynasty was founded in 1794, and under it Persia has formed diplomatic relations with other kingdoms, abandoning her ancient policy of excluding foreigners.

127. Maghrib-el-Aksa, or Morocco.—Like Persia, Morocco is governed by a despotism, which, while acknowledging the authority of the Koran, rejects the Ottoman kaliphate. But the despotism is more absolute, for the sultan of Morocco is the only authorized interpreter of the Koran and the commentary thereon by Sidi Beccari, which is the Moor's text-book of faith. Neither does the sultan deign to have a grand vizier or other official representative, but administers the government through his favorites among the courtiers who surround his person.

128. Origin and History.—The kingdom of Morocco was established in the eleventh century by Abu-Beker, the first of the house of Almoravides. The present dynasty was founded in the seventeenth century by Mulai Shereef-el-Fileli.

129. Wilayat, or Afghanistan.—The government of Afghanistan is a personal despotism, maintained by force, and justified, so far as seems necessary, by reference to the principles of the Koran. The government resembles that of Turkey, but differs from it somewhat in admitting the hereditary principle. The people are grouped in tribes, the sardars (or

127. How is Morocco governed?

128. What is said of its history?

129. What is the government of Afghanistan?

princes) of which are often strong enough to defy the ameer, or lord of the land.

130. Origin and History.—The Afghans claim descent from the ten tribes of Israel, and there seems little reason to deny the claim. From the eighth century to the nineteenth the Afghans maintained almost constant warfare with the Tartars on the one hand, and the Hindoos on the other. During the present century the country has been twice invaded by the British, and the ameer'ship has been three times the cause of civil war, so that there has been little opportunity for the growth of peaceful political institutions.

CHAPTER XVI.

CHINA, JAPAN AND SIAM.

131. Chung Kwo or the Middle Kingdom.—Besides the despotisms of Islam, there are several other quasi-religious despotisms, in which state and church are closely united. In the Chinese empire, state and church are identical, the emperor being the high priest and the state officials the only priesthood attached to the Confucian or state religion. As the religion of Confucius is a form of ancestry worship, so the government it authorizes is modeled on the government of the family. Here we find the union of the patriarchal and theocratic systems. Theoretically a most absolute despotism,—for the *Hwangti*, or emperor, is declared the highest legislative and executive power, without limit or control—China has still a constitution, called the “collected regulations of the great pure dynasty.” These regulations are recognized as binding upon the emperor and though he himself is subject to no re-

130. What is the history of this people?

straint, public opinion would prevent his servants violating the regulations even in obedience to the royal will.

The administration of the empire is under the supreme direction of the "Interior Council Chamber," comprising four members, two of Tartar and two of Chinese origin, besides two assistants from the Han-lin, or Great College, who have to see that nothing is done contrary to the civil and religious laws, contained in the "regulations" and in the sacred books of Confucius. Under the council chamber are six boards of government, somewhat similar to the committees which, in the German federal council, take the place of the usual secretaries of state. Each board is presided over by a Tartar and a Chinese.

Independent of the government and theoretically above the central administration, is the Tu-chah-yuen, or board of public censors. It consists of from forty to fifty members, under two presidents, one of Tartar and the other of Chinese, birth. By the ancient custom of the empire, all the members of this board are privileged to present any remonstrance to the sovereign. One censor must be present at the meetings of each of the six government boards.

There exists no law of hereditary succession to the throne, but it is left to each sovereign to appoint his successor from the members of the royal family. If an emperor dies without designating his successor, the choice is exercised by his widow or by his next of kin, acting in the name of the family.

The administrative machinery of the government is very perfect in its organization. In each of the eighteen provinces is an imperial representative as governor with

131. Describe the relation between state and church in China. Also the machinery of government. What is the board of censors? The law of succession? The local government?

almost despotic power over the life and property of citizens, but carefully restrained in his management of the government interests. Even the appointment of his subordinates is regulated by a system of competitive examinations, making the government one of the most bureaucratic on the face of the globe.

132. Origin and History.—The Chinese government is, as above stated, an elaboration of the principle of filial duty. It refers, for authority, to the writings of Confucius (on Con fut-se) who in the sixth century before Christ, compiled the ethical traditions of the race.

The present dynasty was founded by the Manchu Tartars who conquered China in 1644, and, usurping the government, established as a concession to their subjects, the present system of duplicate presidencies of the official boards.

133. Sho Koku, Nippon or Japan.—The government of Japan resembles that of China, from which, indeed, it is derived. The power of the mikado, or emperor is absolute and unlimited in temporal as well as spiritual affairs, but the government is administered through an executive cabinet modeled on that of the French empire. There are also two appointed representative bodies with advisory powers—the *sa-in* or senate, of thirty members, and the *sho-in* or council of state, of an unlimited number, both nominated by the mikado and consulted by him at his pleasure. A parliament of deputies selected by the provincial governments was created in 1869, but was soon dissolved and has not since been summoned.

The council of state, though formed on the model of that of the French empire, is a much more important

¹³² Upon what is the Chinese government based? When was the dynasty founded?

body. It is charged with the duty of framing the laws, and forms the Left of the Great Council—the Center being the premier and his advisers, and the Right the heads of executive departments. This Great Council administers the government, subject, of course, to the will of the autocratic mikado.

For the purpose of local government, Japan is divided into thirty-six *ken* and three *fu*, the latter differing from the former only in name. These provinces are ruled like those of Russia; by a governor appointed by the national government. Over these governors, provincial assemblies, elected by the people, exercise a supervisory power. The districts, into which the provinces are subdivided, are governed in similar manner.

Early in November, 1881, the Mikado Mutsu Hito issued a proclamation stating that he intended in the twenty-third year of his reign (1890) to “summon deputies of the people with a view to the establishment of a representative assembly, which will be the fulfilment of the intention entertained from the beginning,” and at an early date to establish a constitutional form of government. Thus a limited constitutional monarchy will, ere many years, take the place of a despotism that has existed for twenty-five centuries.

134. **Origin and History.**—The ancient Japanese government, as well as the religion upon which it was based, was derived from China by way of Corea. In it, the mikado (or “Venerable one”) was supreme, possessing full power over the life and property of his subjects and exacting the personal service of every man one day in twelve, by way of taxes. This system was gradually undermined by the military power of

133. Whence was the government of Japan derived? How is it being remodeled? Describe the national government as it now exists. The local government. What changes are proposed by the mikado?

the daimios, or feudal nobles, who lodged all the temporal power in the hands of an aristocracy of 266 chiefs, headed by the tycoon, and supported by an army of 500,000 men—leaving the mikado spiritual governor only. The government of the daimios was tyrannical and oppressive, and this led in 1868 to a revolution which reinstated the temporal power of the mikado, reducing the nobles to the position of simple tenants of the estates in their hereditary possession. Since his restoration, the mikado has used his authority to liberalize the empire, as a preparation to giving his people a share of the powers and responsibilities of government.

135. Thai, Sayam, or Siam.—Siam is called by its inhabitants Thai, or Manang-Thai, which means “free” or “the kingdom of the free.” Siam, or Sayam, is Malay, signifying “brown.” Despite its boasting title, the kingdom is governed in the most despotic manner. The king is absolute and each of the forty-one phajas, or governors, is absolute master within the limits of his province. The state religion is Buddhism, which permits rather than authorizes despotism, but there being no regular priesthood, the state officials are the recognized upholders of the faith.

Since little is known of the origin and history of Siamese institutions, comment thereon seems superfluous.

134. What is said of the ancient government of Japan? What of the usurpation of the daimios? Of the government since the restoration?

135. What is said of the name Siam? Of the form of government in that country?

CHAPTER XVII.

MINOR STATES.

136. **Hawaii or the Sandwich Islands.**—There is a class of minor states which, though nominally independent and sovereign, are just emerging from barbarism, and adopting political forms. The constitutions of these governments are imported and have little hold upon the people, though in some cases foreign immigration has supplied a class politically instructed in the use of legal forms. One of the best instances of this class of states is the kingdom of Hawaii. This kingdom was founded in 1782, by Kamehameha I. nephew of Kalamhopmi who was chief of the island of Hawaii, or Owhyee, at the time of its discovery by Captain Cook in 1779. Kamehameha, who was a great warrior, usurped the chieftainship after his uncle's death, and by conquest extended his authority over the other Sandwich Islands. This monarch, in appointing a successor, as by Hawaiian custom he had a right to do, appointed also a chief adviser. The premiership thus founded is an important office in the Hawaiian constitution, being granted an absolute veto over the executive acts of the king, even as the king has an absolute veto on all legislation. The legislative power is granted, in general terms, to an assembly of representatives elected by the people, and to a council of chiefs or nobles appointed by the king.

The government of Hawaii has not been altogether successful, and it has several times sought annexation to established states. England, France and the United States were successively approached, but none of them welcomed the project. Thrown back on its own re-

136. What is said of the character of the government of Hawaii? What of its history and development?

sources, the kingdom has since endeavored, by offering great inducements to immigrants, to build up a state worthy of its liberal constitution.

137. *Tonga*.—Resembling Hawaii, but on so small a scale as to seem a caricature, is the little kingdom of Tonga, better known perhaps as the Friendly Isles. The monarch of this little state of 25,000 inhabitants maintains a parliament and conducts his government with the forms borrowed from European kingdoms. The mimicry is amusing and apparently harmless, though it may be carried to the extent of burdening the people with taxes for the support of useless institutions.

138. *Sarawak*.—In this connection may be mentioned the little state of Sarawak, on the northwest coast of Borneo, the sovereignty of which was purchased of the sultan of Brunei in 1842, by James Brooke, an English gentleman desirous of giving the country an enlightened government. He bequeathed the rajahship to his nephew, the present sovereign. The government is a benevolent despotism, in which the subjects are consulted with a view to their participation when more fully enlightened.

139. *Madagascar*.—Part of the island of Madagascar still remains under the primitive tribal form of organization, but the ruling race, the Hovas, have framed a centralized despotism resembling those of Asia. The monarch, though revered as of divine appointment, is not altogether autocratic, being obliged to obtain the consent of the chief nobility in making laws.

140. *Abyssinia*—This long established state seems to have derived its political institutions, at least in part, from Egypt and Islam. It is said, by native

137. What of the kingdom of Tonga?

138. Who founded the state of Sarawak? How is it governed?

139. What progress have the Hovas of Madagascar made in the art of government?

historians, to have existed since the time of Solomon, one of its royal families claiming lineal descent from the queen of Sheba. Its government resembles that of Afghanistan in being merely the supremacy of one chief over his fellows, maintained by force of arms.

141. **Zanzibar.**—The sultan (*i. e.* “great one”) of Zanzibar holds his power by the strong hand, resembling in this the sultan of Morocco.

142. **Brunei or Borneo.**—The sultan of Borneo, by a judicious disposal of his supposed rights over the largest island in the world, and by grants of commercial privileges to foreign companies, has strengthened his tenure of office by making it for the interest of others to support him. His government is simply the supremacy of one chief over a number of other tribal chiefs, or rajahs. By the support of his foreign commercial allies, the sultan can not only maintain his supremacy over the rajahs, but he can exact a degree of obedience in return for his support in upholding them against rival chiefs of the same tribe. This country may therefore be considered in the transition state from the savage tribal form to the Asiatic despotism.

143. **Object of Classification.**—The object of strict classification of states as sovereign and dependent, would be more apparent if the claims of the stronger states to influence the action of the weaker were open and declared. As it is, all the minor states are in a measure “protected” by their treaty, with more powerful governments, and in passing under the exclusive suzerainty of any nation they do not all at once lose their

140. What is said of the origin and nature of the government of Abyssinia?

141. What of that of Zanzibar?

142. How has the sultan of Brunei extended and strengthened his power? What is the nature of his government?

143. What is said of the object of classifying states as sovereign and dependent?

right to treat with other powers on the basis of equality. A line must be drawn, however, between governments which are complete and those which have yielded any portion of their powers to another, and this distinction is naturally based on the principle of sovereignty.

PART 3.

DEPENDENT AND COMPONENT STATES.

CHAPTER XVIII.

TUNIS, EGYPT, BULGARIA AND THE TRANSVAAL.

144. Dependent and Component States.—

Non-sovereign states may be classified as protected, tributary, colonial and component. Thus a power may obtain by treaty what is known as suzerainty over a foreign state without attempting to derive any revenue therefrom. This gives the suzerain state the right to interfere in the relations between the protected state and other powers. On the other hand, a province may so far gain its independence as to leave its former sovereign only a suzerainty, accompanied by an annual tribute. Or the province may, as is often the case with colonies of civilized states, be granted autonomy, *i. e.*,—the right of local self-government—while still acknowledging the superiority of the parent state. There is of course no necessary connection between the degree of the dependence and the manner in which it was brought about.

Component states are those which, though integral as to local affairs, form one of a federation as to national affairs.

145. **Afrikija or Tunis.**—Tunis is a kingdom or beylik under the suzerainty of France. From the beginning of the eighteenth century to 1871, Tunis was tributary to the Turkish porte, but in that year became virtually independent by special firman. In 1881 the

144. Define dependent states. Define component states.

French overran Tunis in retaliation for the forays of Tunisian Arabs. By the treaty of May 12, 1881, France engaged to protect the frontier and coast of Tunis and protect the state against foreign powers, and Tunis engaged to make no further treaties with other nations without the consent of France. As for existing treaties, they were specifically confirmed by the first clause of the treaty, but in the fall of 1882 were dissolved by international agreement.

The government of Tunis is vested by its constitution in the bey assisted by a ministerial council, composed of six heads of departments. The French minister resident supervises all foreign affairs, and French officials assist in providing for the liquidation of the public debt.

The organic law of Tunis was established by decree of the autocratic bey in 1861, but was suspended from 1864 to 1877. Those chiefly interested in the maintenance of the constitution were the foreign immigrants, the Arabs apparently preferring the Koranic despotism.

146. Kemi, Misr or Egypt.—Egypt is under the protection of England and under the suzerainty of the Turkish porte, paying to the latter an annual tribute of £720,000. Though at present writing, no permanent settlement has been made, it is probable that Egypt will be encouraged to repudiate her engagement with the porte and become nominally a sovereign state but really a dependency of the British empire.

The government of Egypt is in a state of transition from the despotism which existed before the rebellion of 1882, and the enforced concession of an organic law

145. Describe the relations between Tunis and France. How is Tunis governed? What is said of its constitution?

146. In what relation does Egypt stand toward England. Toward the porte? How is Egypt governed?

by the khedive, to a constitutional and representative monarchy. A plan of government has been formulated by the English ministry and approved by the British representatives in Egypt. By it the legislative power is entrusted to a ministerial council, subject to the approval of a representative council, partly appointed and partly elected. In case of a dispute, decision will rest with the khedive. The election of representatives in the council is to be indirect, probably coming through the assembly of notables, which is still to exist in the shape of a chamber of forty-five deputies. The selection of the notables will rest, as heretofore, with the head men of the village communities. This lower house is to have no legislative power at present, but will afford the people an insight into the working of their government.

147. **Origin and History.**—From the advent of the Turk until the beginning of the present century, Egypt was a mere pashalik of the sultan, but Mehemet Ali, appointed pasha or governor in 1806, speedily made himself master of the country and compelled the sultan to grant him the government of the province under the title of “vali,” or viceroy. The office was made hereditary, the title resting, according to moslem custom, in the oldest male relative of the sovereign. In 1866, the sultan was persuaded to grant the title “Khediv el Mısır,” (king of Egypt) and to change the succession to the direct line. By this firman of 1866, the suzerainty of the sultan was recognized only by the annual tribute of \$3,600,000, by the imperial cipher on Egyptian coin, by the preservation of the porte’s ancient right of sending embassies to examine Egyptian affairs and by the weekly prayer for the sultan in the mosques. But the sultan still retained the right to depose the khedive (provided he had the military power), and in 1879 he exercised this right, at the re-

quest of the European powers who complained that Ismail borrowed money and made no effort to repay it. In confirming the new khedive the sultan took from him the right to pledge the credit of the state for foreign loans and the right to increase his army beyond a specified limit.

Such was the condition of things at the outbreak of the Anglo-Egyptian war. This war was waged by England to uphold the authority of the Khedive Tewfik and to subdue an insurrection directed against the control of financial affairs, which had been entrusted to representatives of England and France. The war was successful, but the control was abandoned and a financial adviser appointed without executive powers.

148. **Bulgaria.**—The province of Bulgaria was by the treaty of Berlin in 1878 constituted an "autonomous and tributary principality under the suzerainty of his imperial majesty, the sultan." The amount of tribute is based on the mean revenue of the state, and is payable annually in such a manner as the parties to the transaction agree upon.

The prince is elected for life by the people, through a constituent assembly, and as this assembly is empowered to fill vacancies in the princely office, it has also traditional right to declare such vacancies, thus deposing an unpopular prince.

By the constitution adopted in 1879 and amended in 1881, the legislative authority is vested in a national assembly of two chambers,—four appointed by the prince and eight indirectly elected,—and a chamber of deputies, the members of which are elected every four years by universal manhood suffrage. The prince has the right to appoint members to the lower house equal to one-half the number already elected, and

147. Give the history of the relations between Egypt and the sultan. Also the cause and effect of the Anglo-Egyptian war.

over and above this has the right to dissolve the chambers at any time and call for a new election. Extraordinary legislative powers were granted him for twelve years by the constituent assembly of 1881, so that he is at present little less than a despot. The executive authority is administered by a council consisting of the chiefs of the seven departments of state.

149. **Origin and History.**—The principality of Bulgaria was established in 1879 in accordance with the decision of the congress of Berlin, called to determine the results of the Russo-Turkish war. A constituent assembly drafted a constitution and elected as prince Alexander, a scion of the royal house of Hesse. The legislature at first consisted of but one chamber, but in 1881, the prince insisted, as a condition of his retaining the throne, on a revision of the constitution, the establishment of a senate and a grant of special powers for a term of years. This was granted by the great national assembly, July 13, 1881.

150. **The Transvaal.**—The republic of the Transvaal in South Africa is under the suzerainty of Great Britain, but no tribute is exacted. Its rights of self-government are administered by a president and a volksraad, or chamber of deputies. The Transvaal was colonized by Dutch Boers from the British settlements. Its independence was acknowledged by England in 1852, but in 1877 the latter country, during its war with the Zulus, annexed the Transvaal. The Boers having vainly protested, took up arms to preserve their independence, which was finally

148. How is Bulgaria subject to the sultan? How is the state governed?

149. When and how was the principality established? What changes were made in 1881?

150. What is said of the government of the Transvaal? What of its relation to the British crown?

conceded in 1881, the British crown reserving the suzerain right to supervise the foreign relations of the republic and its dealings with the native tribes.

CHAPTER XIX.

AUTONOMOUS COLONIAL DEPENDENCIES.

151. British Colonies.—Nine of the British colonies have secured full rights of self-government, except in the choice of their chief magistrate, who is appointed by the British crown. Over these states the British government exercises only the suzerain right of supervising foreign relations, together with a veto—through its appointed representative—on the laws passed by the colonial legislature.

152. Dominion of Canada.—The Dominion of Canada consists of the Provinces of Ontario, Quebec, Nova Scotia, New Brunswick, Manitoba, British Columbia and Prince Edward's Island. These provinces were united under the "British North American act," passed by the imperial parliament, and established by royal proclamation July 1, 1867. The act orders that the constitution of the dominion shall be "similar in principle to that of the united kingdom; that the executive authority shall be vested in the sovereign of Great Britain and Ireland, and carried on in her name by a governor general and privy council; and that the legislative power shall be exercised by a parliament of two houses called the senate and the house of commons. The seventy-seven members of the senate are appointed for life by the governor general, but are apportioned to represent the different provinces. The members of the house are elected by the people for

^{151.} What liberties have been granted to the most powerful British colonies?

five years, on the basis of one deputy for every 17,000 of population. The qualification for the franchise varies in the different provinces, as it is fixed by the provincial assemblies.

The seven provinces forming the dominion have each a separate parliament and administration with a lieutenant governor at the head of the executive. They have full power to regulate their own local affairs, dispose of their revenues, and enact such laws as they may deem best for their own internal welfare, provided only they do not interfere with the action and policy of the central administration.

The relation between the Canadian provinces and the dominion government is somewhat similar to that existing between the states of our union and the federal government. The provinces have not the choice of their chief executive, it is true, but that choice is exercised, not by the dominion, but by the imperial government through the governor-general. On the other hand the appointment of the chief magistrate by the crown detracts little from the autonomy of the dominion, since the real executive, the ministry, is subject to the will of the majority in the house of commons.

153. Origin and History.—Before the act of confederation, the dominion was governed by the British colonial office, according to the status of the colonies. Upper and Lower Canada (now known as Ontario and Quebec) had secured a union under a parliament and a responsible ministry in 1840. This was the result of a happy adjustment of the troubles which

152. Of what does the Dominion of Canada consist? When and how were these provinces united? In whom are the powers of government vested? What is said of provincial government? What of the relation between province and dominion?

led to a brief revolt in 1837. The desire of the other colonies to share the independence of the Canadas, led to the confederation with them in 1867 of New Brunswick and Nova Scotia. The territory of the Hudson Bay company was transferred to the dominion in 1869, and the province of Manitoba created. British Columbia joined the federation in 1871 and Prince Edward's Island in 1873. Provision was made for the admission of Newfoundland, but that province has so far deferred her acceptance of the invitation.

154. Newfoundland. The people of Newfoundland number about 160,000 altogether. They are chiefly engaged in catching and curing fish, or in trades attendant upon this industry. The agricultural and mineral resources of the island have not been developed. Indeed, we are assured that "until about fifty years ago, nobody was permitted to settle in the interior of Newfoundland to hold a farm or build a house, lest the fishery should be neglected."

Since 1855, Newfoundland has possessed a constitutional form of government, with an assembly elected by household suffrage and a small legislative council appointed by the governor, who is nominated by the British crown. The executive power is in the hands of the ministry, which is responsible to the representative assembly.

155. Cape Colony.—Like Canada, the South African state of Cape Colony is governed by a parliament and a responsible ministry. It is a unified or integral state, however, not a federation of provinces,

153. Give the origin and history of the Canada confederation.

154. What is said of the development of Newfoundland? How is the colony governed?

155. How are the powers of government apportioned in the Cape Colonies?

and hence its executive ranks as a governor and not as a governor-general. The constitution vests the executive power in the governor and an executive council, composed of certain officeholders appointed by the crown. The legislative power is given to the legislative council of twenty one members, and to the house of assembly of sixty-eight members. The assemblymen represent the various town and country districts, and are elected every five years by popular suffrage, subject to property qualifications for both voter and deputy. The councilmen are also elected, (subject to similar qualifications) but in a different way. Up to 1881, they were chosen on general tickets—*scrutin de liste*, as the French say—by the voters of the two districts into which the colony was divided. The ten representing the eastern district were chosen for ten years; the eleven representing the western district for five years. Some changes have been made in the interest of uniformity, but the general plan still remains the same.

156. Origin and History.—The Cape of Good Hope was discovered by the Portuguese, colonized by the Dutch in 1652 and conquered by the English in 1796. In 1803 it was given up to the Netherlands, but was again occupied by the British three years later. The colony first secured its political liberties in 1853, after successfully resisting, in 1850, the landing of a cargo of British convicts. By act of parliament in 1853 the colony was granted a representative government, which was established the same year, but it was not until 1872 that the “system of executive administration commonly known as responsible government” was formally introduced. Though not in every respect a success, the new order of things is generally satisfac-

156. What is the history of representative institutions in this colony?

tory, and it is seriously proposed to unite the British African possessions under a dominion government similar to that of Canada

157. New South Wales.—New South Wales, the oldest of the Australian colonies, possesses a “responsible government” established by act of parliament in 1855. The constitution vests the legislative power in a parliament of two houses—a legislative council nominated by the crown and an assembly elected by universal manhood suffrage in the 102 districts into which the colony is divided. The executive in this, as in other colonies, is vested in a governor appointed by the crown.

The government is more democratic in practice than in theory. The power is almost entirely in the hands of the ministry, which is virtually a committee of the assembly. In the twenty-eight years of its existence the assembly has made and unmade nearly as many ministries, which shows a determination to rule on the part of the people’s representatives. The legislative council finds its sphere in revising, without essentially modifying, the work of the assembly.

158. Origin and History.—New South Wales, discovered by Captain Cook in 1770, was first colonized in 1788, the British Government having made it a penal settlement. The colonial territory at first extended over the eastern half of the island, but the erection into separate colonies of South Australia in 1836, Victoria in 1851, and Queensland in 1859, reduced the colony to its present limits. The transportation of convicts lasted until 1840, and was a great drawback to the growth of the colony. The gold dis-

157. What is the form of government in New South Wales? How are the powers apportioned?

158. When and how was the colony founded? What are the chief facts of its history?

coveries of 1851 gave an impetus to immigration, but the population and the prosperity thus gained did not fit the colony for self-government. The political history of the colony has been that of lax administration of law, together with profuse expenditure of public funds. The exceptional position of the colonies, having neither foreign foes nor aboriginal tribes to contend with, will make it easy to carry their load of national debt, without burdening the people with heavy taxation. And since the colonies have similar interests, a federation like that of Canada, if not a union of independent states like the United States, is among the possibilities of the future.

159. Victoria.—This state maintains a similar form of government to that existing in New South Wales. Its legislative council is, however, elected and not appointed, a property qualification being enforced on both voter and deputy in the election. Only college graduates, schoolmasters, ministers, lawyers and doctors are, as voters, exempt from this property qualification. By the reform bill of 1881, the electoral districts for councilmen were increased to fourteen, and each district was allowed three representatives. These were chosen for six years, one third retiring every third year, as in the United States senate. The members of the lower house are elected by universal manhood suffrage every three years.

First settled in 1835, Victoria was, until 1851, known as the Port Phillip district of New South Wales. Its career since its erection into a colony has been uneventful, like that of its sister colonies.

160. South Australia.—The constitution of South Australia resembles that of Victoria in making the up-

159. Compare the government of Victoria with that of the parent colony. What is said of the settlement and history of the colony?

per house elective. This house, known as the legislative council, is composed of eighteen members, six of whom retire every four years, making the term of office twelve years. Councilmen are elected on a general ticket by the colonists, subject to property qualification for voters, but not for candidates. The house of assembly is elected by manhood suffrage every three years.

The colony of South Australia was founded in 1837 by an association formed in England to carry out the Wakefield plan of an ideal settlement. The land was to be divided into lots according to an arbitrary plan, and sold to capitalists at a fixed price, and the proceeds of such sales were to be spent in building roads, founding schools and making other improvements to invite emigration and enhance the value of the land. The scheme, as a whole, was abandoned, but being worked out in many minor points, it had a marked effect on the character of the colony. The chief industries of the colony are agriculture and sheep grazing. Mining is carried on extensively, but this is not for gold, but for copper and iron, and the colony has been spared the agitation of the "gold-fever." Its political development has been peaceful and steady.

161. **Queensland.**—The government of Queensland is administered by a governor and a parliament. The governor is appointed by the crown and is assisted by a responsible ministry. The parliament consists of two houses---the legislative council of thirty members nominated by the crown for life, and the legislative assembly of fifty-five deputies, returned from as many electoral districts, elected for five years by the vote

160. How is South Australia governed? What was the plan of its settlement?

161. How is Queensland governed? When and by whom was it settled?

of all tax payers. A tax-payer in several districts is entitled to vote in each, irrespective of his place of residence.

Like New South Wales, Queensland was a first a penal colony, being settled by convicts in 1825. In 1842, the country was thrown open to free settlers and has since been rapidly colonized. The immigrants at first were chiefly from England but of late years many have come from China and the South Sea Islands.

162. Tasmania.—By the constitution of Tasmania the legislative authority is vested in a parliament of two houses, a legislative council of sixteen members, elected by citizen subjects of the British crown who possess either a freehold worth £30 a year, or a leasehold of £200, or have a commission in the army or navy, or a university degree or are in holy orders—and a house of assembly of thirty-two members elected by the people, subject to a small property qualification.

Tasmania—once known as Van Diemen's Land, in honor of a governor of the Dutch East Indies—was discovered by the navigator Tasman in 1642; and afterward partially explored by Captain Cook. The first penal settlement here was in 1803; and till 1813 it was merely a place of transportation from Great Britain and from New South Wales, of which colony it was a dependency. Transportation to New South Wales having ceased in the year 1841, Tasmania became the only colony to which British convicts were sent. This ceased in 1853, when the practice of transportation was abandoned.

163. New Zealand.—The government of New Zealand was established by statute in 1852 and re-

162. How does the constitution of Tasmania compare with that her sister states? What is said of its history?

modeled in 1875. It resembles its sister colonies in the general form of its government. Its legislative council is appointed by the crown and its house of assembly elected by the people subject to a property qualification. The executive authority is nominally vested in the governor, but the administration is entrusted to a responsible ministry of nine members. There are also two native (Maori) members of the executive council, not in charge of any department, who have a voice in the direction of native affairs.

New Zealand, first established as a colony in 1840, has made rapid progress, owing to the advantages it offers to immigrants. Of the area of 505,342 square miles, two thirds are fitted for agriculture or grazing, and the Maori population, though comparatively more numerous than that in Australia, has never caused serious trouble.

164. Barbarous Protected States.—There are several countries classed as “protected” which may be set down as in process of subjection or absorption; and, for the double reason that their political institutions are little known and not likely to last, may be dismissed with a mere mention. Corea is one of these states; beyond the fact that its government is a religious despotism, presided over by a king so holy, *ex-officio*, that his name is never mentioned, but little can be said. Corea is subject to China and also to Japan, to the extent of not resisting these nations when they meddle in her affairs. Anam, or Cochin China, has a similar form of government, headed by an emperor named, or styled, Tu-Duc. Anam has long acknowledged the suzerainty of China, but in 1787, the Emperor Gyalong accepted also the pro-

163. How are the people of New Zealand governed?

164. What is said of the constitutions of barbarous dependent state?

tection of France, thereby incurring obligations which his successor would be glad to repudiate. Sulu, the archipelago to the northeast of the island of Borneo, is governed by a barbaric despot, nominally owing allegiance to the crown of Spain, and there are others still too insignificant even for notice.

CHAPTER XX.

COMPONENT STATES.

165. Federated States.—The position of a federated state differs widely from that of a dependency; for much as it may lose in the power of self-government it gains a standing and a voice in national affairs. True, it may be outvoted and overruled, but the position of a voter in the minority is superior in dignity to that of a disfranchised citizen.

A member of a federation of states is to be considered in two relations; first, its status in the union, and, second, its position as a limited sovereignty. The state governments of our union and the constitutions of the German and Austrian states are especially worthy of study.

166. Rights of Federated States.—The rights of the states of our Union are all those pertaining to complete sovereignties, except in so far as the same have been delegated to the federal government. In exchange for this cession of rights they have obtained certain rights in the union, which are guaranteed by the constitution. These are (1) Right to representation by chosen delegates in the federal congress and to a proportionate vote in the election of the president; (2) reciprocal rights of free trade and inter-state citizenship, extending to the extradition of criminals;

165. What is the difference between a component state and a dependency?

(3) full faith and credit in its dealings with other states or with the federal government; (4), right to federal protection against invasion, or, when demanded, against domestic violence.

As to representation the state has a right to at least one representative in the house, and to as many more as its comparative population entitles it; a right to as many representatives in the senate as are sent by other states, and a right to as many electoral votes for president and vice president as it has representatives in both houses of congress. The right of citizens of one state to trade with those of another, or by residing within the territory of another state, to become possessed of the rights of citizenship in that state, is guaranteed to each state, and imposed on the states as a nation, by the constitution. The same may be said of the right of states to faith and credit. These rights can seldom be enforced, because, from their peculiar nature, they seldom appear in cases at law, but set forth rules of action, obedience to which is always presumed by the courts. In the same way, a state has a right to protection against invasion or domestic violence, but the president may at his discretion refuse it, forcing the state government to rely on itself.

As to Mexico and the South American confederations, they were formed on the model of the United States, and the position of the component states differs from that of the members of our union mainly through a different interpretation of the constitution. In Venezuela, however, the state receives no guarantee of protection against domestic insurrection, and the federal government is expressly pro-

166. What are the inherent rights of the states of our union? What their rights as members of the union? Note the difference in the case of Mexico and South American federations? In Germany, Austria, Hungary, and Sweden and Norway.

hibited from interfering. In that country, too, the national government has no administrative officers in the states, and is forced to rely on the state officials, whom it cannot coerce. In other states, Mexico particularly, the federal officers have taken so much upon themselves, especially in the conduct of elections, that the independence of the states is seriously infringed.

In European federated states there is no attempt made (except in the Swiss senate) to preserve the equality of states, and if there is limitation placed upon the federal authority, it is usually because the larger states will not delegate their powers. Thus in spite of Prussia's overwhelming supremacy in the German empire, she jealously preserves her autonomy, and only exalts the federal power when it is necessary to overawe some of the minor states. Austria-Hungary and Sweden and Norway are bipartite states, united in the person of the sovereign and with a common army and foreign-affairs department.

The Swiss canton resembles our state not a little in its carefully preserved independence, but the small size of the cantons puts comparison out of the question.

163. Limitations of Federated States.—It is important to consider the limitations of component states, since the sum of their limitations equals the difference between them and sovereign states. Or, to put it in another way, the status of a member of a federation is the standing of an independent state minus the rights it has delegated to the central government. The first limitation is subordination of state law to federal legislation; the second, the prohibitions placed upon the states by the federal constitution.

In our union, the "constitution of the United States and the laws made in pursuance thereof" and all treaties

made by the proper authorities, are superior to state constitution and laws, and are made binding on the state courts. This is the case in nearly all the federations as they exist to-day, though it was not so with us under the articles of confederation, nor is it the case in the united states of Venezuela. There the states are bound to regard federal legislation as supreme, but in the case of a dispute over the constitutionality of an act of the national congress, state courts are bound by state laws until the matter has been settled by arbitration. The question was once raised whether a state in our union could legally nullify, within its own borders, an act of congress. This has been settled in the negative, as it would plainly lead to confusion, but in some cases, as in the Swiss federation, appeal can be taken from the congress to the voters of the cantons, and an obnoxious law be so repealed.

In token of this subordination of the states to the federal government, all legislative, executive and judicial officers in the states are obliged to take the oath of allegiance to the United States.

The states of our union are distinctly prohibited from making treaties or alliances, either among themselves or with foreign powers, without the approval of congress. This is a wise provision, as the experience of the German and Swiss confederations abundantly proves. Yet the South American federations have not followed our example in this regard. The provinces of the Argentine Confederation expressly reserve the right to make contracts among themselves to "administer justice and promote economical interests." The Venezuelan states claim the right to unite, in groups of two or more,

163. What is the character of the limitations upon federal states? How far are component states subordinate to the nation? Name the chief constitutional prohibitions on the states of our union. On those of other federations.

to form a single state, and to resume their individuality, without asking the consent of congress, and without loss of votes for president or representation in the federal senate. Yet in both these federations, the states—those of the Argentine by prohibition and those of Venezuela by pledge—are disabled as far as making political compacts with foreign countries goes. In the German empire, one state can cede territory to another without asking the consent of the central government, the empire claiming the right to interfere when the general order or security is threatened. Indeed there is nothing in the constitution explicitly to prevent a state from entering into an alliance with a foreign state, and some of the states are allowed to maintain diplomatic representatives at foreign courts, but all this is with the understanding that the mandate of the imperial government, when delivered, is supreme.

In the matter of commerce, our states are forbidden to coin money, emit bills of credit or make anything but gold and silver legal tender, or to pass any law impairing the obligation of contracts. The states are also debarred from interfering with the federal authority or regulating commerce by imposing duties of tonnage or duties upon imports or exports, except such taxes as may be necessary to execute the state inspection laws.

On these points most federations agree in limiting the states. The Argentine constitution prohibits the states from exercising the powers delegated to the nation. They cannot make laws on commerce or navigation, nor impose duties, nor coin money, nor even charter banks of emission (as our own states can do) nor can they legislate in any sphere constitutionally occupied by congress. In Venezuela the states pledge themselves not to tax what congress has already taxed, nor to interfere with the federal regulation of commerce,

nor impose commands on federal officers incompatible with their federal duties. In Germany, the central power claims exclusive legislation with regard to the imperial army and diplomatic service, and also with regard to post and telegraphs, the regulation of commerce, navigation, and emigration; the disposition of the federal revenues and the exclusive right to tax sugar, salt, tobacco, brandy and beer. The claim to exclusive power to lay direct taxes upon specific commodities is unusual. Most component states have the right to collect excises, which do not affect inter-state commerce. In Venezuela the states have exclusive right to do so.

The German imperial government has also exclusive control of the banking system, coinage and the issue of paper money. The purpose of this control of matters affecting commercial interests by the federal authority is to secure uniformity and fixity of law and the conditions of trade.

A further prohibition upon component states is that they shall not without the consent of the federal government maintain an army or navy in time of peace, nor commit any independent act of war. In this country, states usually maintain a militia in accordance with an act of congress, but in some countries even this is not allowed. In Venezuela, however, the states claim the right to maintain forces, and refuse to allow the federal government to station its armies within the states in time of peace. In the Argentine Confederation, on the other hand, the prohibition on the states is absolute, and in Germany, Austria and Switzerland, the army, though composed of the united forces of the several states, is under the exclusive control of the central government.

CHAPTER XXI.

STATE GOVERNMENTS.

168. State Governments of the American Union.—The governments of the states are republican in form, as required by the federal constitution, and as each new state submits its state constitution to congress before admission to the union, radical differences in the state governments were not to be expected. The sameness, however, is greater than can be accounted for, even by the fact that the political systems were framed by men of the same race. The explanation is that the constitutions were all framed by men of similar aspirations, without political training (except in the matter of local government) that could bias their minds for or against political institutions. All the constitutions contain elaborate declarations of the rights of citizens which are not to be subjected to legislative or judicial interference, and which are reserved from the domain of government. Among these guaranteed privileges are the rights to the writ of habeas corpus, to trial by jury, to due compensation for property seized for public use, to freedom of speech and of the press; also the right of the people to petition and to vote at all elections and for all officers except those legally appointed by the people's representatives.

The constitutions all divide the functions of government into legislative, judicial and executive, and specify the manner in which the legislature is to be elected, define the powers and duties of the executive officers and organize the state judiciary. The executive power is vested in a governor elected by the popular vote for

168. Note the points of similarity in the state constitutions. How and by whom are the state governments administered? What is the prevailing system of local government? What variations occur? How are town and county governments administered?

a fixed term, and in other elected or appointed officials. The governor is not allowed to choose the heads of departments, but they are elected with him and are but slightly subject to his control. The legislative power is vested in a legislature consisting of two houses, a senate and an assembly. The senate differs from the assembly in comprising fewer members, representing larger constituencies. The judges of the different courts are usually made elective, but in some cases the governor is given power to appoint them or they are to be chosen by the legislature.

In the matter of local government, there is no little variation in the different sections. All states are divided into counties — except Louisiana, where the divisions are styled parishes, a difference of name only — and in most cases the counties are subdivided into towns or townships. In the southern and extreme western states the county is the most important political division, and exercises most of the local government powers, such as the establishment of common schools, the levying and collection of taxes, the care of the roads and of the poor, etc., which powers in New England are generally exercised by the towns. In the middle states and those of the Ohio and Missouri valleys these powers are divided between town and county.

Towns and counties are political corporations, chartered by the state, and having power to own property and transact business. Cities are also incorporated, and where they occur, a third division of power is made, the city absorbing part of the rights of both town and county.

The powers inherent in a county are exercised by its officers, usually elected by the people, but sometimes appointed by the governor of the state. In some cases the constitution provides for the county and town governments and in others it simply authorizes

the legislature to do so. Usually a board of commissioners is elected to administer the powers entrusted to the county, but in some states the town supervisors form a county board. In Illinois, for instance, the people are allowed to choose whether they will have township organization or not. If they decide to have it, each town is made a corporation and elects a supervisor, a treasurer and school and highway boards. The town supervisors meet at the county seat to form the county board and administer the county government, though there are also county officers, directly elected, as a judge, county clerk and treasurer, and superintendent of schools, coroner, surveyor, sheriff and district attorney. In New England, instead of supervisors, they have selectmen, three or more in each town, and in other states there are town trustees. The difference of name, however, is not material.

169. Origin and History.—During the Revolutionary War, most of the original thirteen states adopted constitutions, and by the date of the adoption of our federal organic law, all the states had written constitutions. Each of them provided for its own amendment or abrogation, and hence each has been gradually remodeled to suit the taste and fancy of the majority of the state's citizens. Some of the states even limit the duration of their constitutions in order to force a revision and readoption. The tendency of these periodical amendments was at first toward an increase of popular rights, and toward decentralization. This led to the requirement that all, or nearly all, officers should be elected by popular vote, instead of being appointed. With this has come a tendency to restrict the power of

169. What was the origin of the state constitutions? What changes have been made in them? How do you account for the difference of custom in county and town government?

the state legislature, especially in the matter of special legislation and the incurring of indebtedness, as well as the imposition of taxes.

Local political institutions have had a more natural growth. The county—a British term designating the district governed by a count—became in America the jurisdiction of the county court. In the early days in Virginia, the justices of the peace appointed by the governor in a county, formed its court and had, in addition to their judicial power, the direction of county affairs. County officers proper, such as the sheriff and coroner, were appointed by the governor with the consent of the court, but local officials, such as constables, school and road commissioners, etc., were entirely under the court's direction. In Pennsylvania and other colonies where the proprietary system prevailed, the county court—the court of sessions—wielded the chief power and made the county the most important political division. With the separation of the judicial from the executive branches of government, came a county board of commissioners, with the powers and duties heretofore given to the court. These were at first appointed by the governor, but in time came to be chosen by the people.

In New York and New England the town system prevailed. There the chief county officer was the sheriff, and public affairs were attended to by the elected officers of the towns, or parishes, for the church was the center point of the community. In the Ohio and Missouri valleys, the town system also grew in favor, receiving its impetus, not from the church, but from the school house. Each township had had a grant of school land from the state, and organized itself to take charge of it. The chief officer of the town was executive, not judicial, and those of the county collectively formed a board of administrative officers, not a court.

Here we find then, the town supervisor, who is *ex officio* member of the county board.

The prevalence of one system or the other depended largely upon the political training of the earlier emigrants, but in a mixed community the system apparently best adapted to the circumstances was well nigh certain to be adopted, the voters having a keen sense of their own interest.

170. State Governments of Germany.—The German state constitutions present a more interesting study than those of our American states, because they are more varied. The German constitutions contain points of similarity doubtless, being framed by people of the same race, but they have different origins, and are more difficult to revise and amend, owing to vested interests; hence there exists great diversity, as will appear on close examination.

171. Konigreich Preussen.—The government of Prussia is a constitutional monarchy. The constitution,—which was first proclaimed in 1849, but has since been greatly modified by royal decrees—is recognized as a grant of the king, and not a creation of the people.

It vests the executive and part of the legislative power in the king, who holds the crown by hereditary right. In his executive duties the king is “assisted” by a council of ministers appointed and removed by himself. In making laws, a representative assembly co-operates with the king. This assembly consists of two chambers,—a *Herrenhaus*, or house of lords, and an *Abgeordnetenhaus*, or chamber of deputies.

170. What is said of the state governments of Germany?

171. How is Prussia governed? State the composition of its house of lords. How are the Prussian deputies elected? How are provinces governed?

The house of lords is composed of, first, the princes of the royal family who are of age, including the scions of the formerly sovereign families of Hohenzollern - Hechingen and Hohenzollern Sigmaringen; secondly, the chiefs of the mediatised princely houses, recognized by the congress of Vienna, to the number of sixteen in Prussia; thirdly, the heads of the territorial nobility formed by the king—numbering some fifty members; fourthly, a number of life peers, chosen by the king; fifthly, eight titled noblemen, elected by resident landowners in the eight provinces of Prussia; sixthly, the representatives of the universities, the heads of “chapters,” and the burgomasters of towns with above 50,000 inhabitants; and seventhly, an unlimited number of members nominated by the king for life, or for a specified number of years.

Representation in the lower house is apportioned, in some degree, according to taxation. The house, which consists of 433 members—is chosen as follows: Every Prussian twenty-five years of age and entitled to vote at his municipal election, is given a voice in the election of deputies. These voters are so classified and arranged in three classes that each class pays one third of the aggregate direct taxation. That is, enough of the chief taxpayers to represent one third of the tax, are put in the first class; then a second grade is made, (based upon the same principle of excessive taxpaying) to include another third, and the remainder of the poll list is put in the third grade. This classification being made, each grade chooses one third of the number of deputy electors granted to the whole constituency on the basis of one wahlmann (or direct elector) to each 250 of population. The choice of the deputies by the electors completes the somewhat cumbersome mode of applying the property qualification.

A cabinet, or "ministry of state," of ten departments, to carry on the executive government, is appointed by the king and is responsible to him alone.

The governors of the provinces are likewise appointed by the king, and the principal functionaries of the counties, circles and parishes into which the provinces are successively subdivided, all are obliged to have their elections ratified by the king or his appointees.

172. Konigreich Bayern.—Bavaria is governed by a king under a constitution granted by the crown to the people in 1818, and again in 1848. To the king belongs all the executive, and a good share of the law-making, power, but the ministry are held responsible, (by impeachment) for all executive acts, and the legislative functions are shared with the chamber of the reichsrathe, or councillors of the realm, and the chamber of representatives. The reichsrathe contains certain hereditary and *ex officio* members—the princes of the royal family, the archbishops and the heads of specified noble families—as well as an unlimited number of members appointed by the crown. The deputies are chosen by the people in indirect election.

173. Konigreich Wurttemberg.—The constitution of Wurttemberg bears date Sept. 25, 1819. The executive power is vested in a council of ministers representing the king. The legislative power is wholly in the hands of the parliament, which consists of two houses. The members of the upper chamber hold their seats by hereditary right or by the king's appointment for life. The king, however, can appoint but one-third of the chamber. The house of deputies is composed

172. Describe the government of Bavaria.

173. Give the chief points of the government of Wurttemberg.

of the chosen representatives of the landowners, of the clergy, and of the towns and rural districts.

174. Konigreich Sachsen—By the constitution of Saxony the king shares the legislative power with the parliament, while he exercises the executive power through “responsible” ministers. The parliament is in two houses. The upper chamber comprises the royal princes, eight of the chief landowning nobility, twelve deputies elected by the other nobles, and ten of the same class nominated by the king; also the burgomasters of the principal towns and the heads of the chief universities. The lower house is elected by the landowners, the towns and communities, and trade and business interests. The constitution of Saxony was established in 1831, but has been several times amended—in 1849, 1851, 1860 and 1861 respectively.

175. Grossherzogthum Baden.—Baden is governed by a grand duke and parliament under a constitution very similar to that of Saxony. The landowners have no special representation in the lower house, but the deputies are chosen, subject to a property qualification, for eight years, by indirect election, which gives an aristocratic tone to the house.

176. Mecklenberg.—Mecklenberg consists of two grandduchies, Mecklenberg-Schwerin and Mecklenberg-Strelitz. The political institutions of these states are entirely feudal in character, and their constitutions date from 1523, but are modified by more recent legislation. In the first-named state, the whole

174. How is Saxony governed? State the composition of her legislative diet.

175. What is Baden, and in what manner governed?

176. What is said of the grandduchies of Mecklenberg. Of her diet. Of the granddukes.

legislative power and part of the executive is in the hands of the proprietors of the Rittergutter, or knight's estates, numbering 622. Seldom more than one-fourth of these claim their seats in the diet, which adds to itself, by invitation, forty delegates of the principal towns and cities. The diet is permanent, being represented, when not in session, by a committee of twelve. Every two years a joint assembly is held with the diet of Mecklenberg-Strelitz, or rather with the province of Stargard in that state. Stargard has a diet very similar to that of Mecklenberg-Schwerin, but the other province of Strelitz, Ratzeburg, has no representative institutions whatever.

The grand dukes of Mecklenberg are of slavonic origin, tracing their descent from King Genseric, who conquered Spain in the fifth century. Their government, barring the rights exercised by the feudal nobility, is similar to that of the princes of Montenegro. In Mecklenberg-Schwerin the general administration is carried on by ministers appointed by, and responsible to, the grand duke only. In Mecklenberg Strelitz there is but one minister of state at most, and sometimes there is none. In neither state is there any distinction between the public revenue and that of the duke, and the only political divisions for local government are based on land ownership.

177. Grossherzogthum Hessen.—Hesse is a grand duchy, with a liberal constitution, vesting the legislative power in a parliament of two houses, and the executive in the grand duke, represented by a responsible ministry. The members of the upper house hold their seats by hereditary right, by appointment for life, or by virtue of office. The lower house consists of six depu-

177. Describe the government of Hesse.

- ties or the noble landowners, ten of the towns, and thirty-four of the villages and communities.

The former landgraves of Hesse had the title of grandduke given them by Napoleon Bonaparte in 1806, and the title was afterward confirmed by the congress of Vienna. The constitution was granted in 1820 and revised in 1856.

178. Grossherzogthum Oldenburg.—The constitution of Oldenburg was granted in 1849 and revised in 1852. The legislative power is exercised by a diet chosen every three years by the indirect vote of all tax payers. The executive is vested, under the grandduke, in a responsible ministry of three departments.

179. Herzogthum Braunschweig —The duchy of Brunswick is governed,—under a constitution established in 1832 and amended in 1851,—by a duke and parliament of one chamber. Of the 46 members of parliament 21 are chosen by the highest taxed land owners, 3 by the clergy, 10 by the towns and 12 by the rural districts.

[A crisis is impending in the history of this state. With the recent death of Wilhelm I, the ducal house of Brunswick became extinct. The heir at law, the duke of Cumberland, is rejected by the German emperor, who may annex Brunswick to some other state to emphasize his objection to the succession of the duke of Cumberland.]

180. Saxe Weimar, Saxe Altenburg and Saxe Meiningen.—The grandduchy of Saxe Weimar and the duchy of Saxe Altenburg were formerly united and are

178. How is Oldenburg governed ?

179. What is said of Brunswick ?

180. What of the states of Saxony ?

now governed by different sovereigns under very similar constitutions. The legislative power is in each case vested in a single chamber elected by the proprietor of the nobiliar estates, by the towns or by the rural districts. In the same class we may put Saxe-Meiningen, which has a constitution almost exactly like that of Saxe-Altenburg.

These states, with the duchy of Saxe-Coburg-Gotha, are governed by members of the elder line of the princely houses of Saxony, the younger line being represented by the Kings of Saxony. Near the end of the sixteenth century the Elector Johann Wilhelm of Saxony, divided his dominions, giving one son Saxe-Altenburg and the other Saxe-Weimar. Saxe-Meiningen was founded by Duke Bernhard, a scion of the house of Saxony.

181 Saxe-Coburg-Gotha.—This state consists of two provinces, Coburg and Gotha, and each province has a separate legislative council. These councils meet every year separately, and every other year hold a joint session as a “united parliament.” The deputies are chosen for four years by an indirect vote of the people.

This dukedom existed as Saxe-Saalfeld-Coburg from the latter part of the 17th century until, by the extinction of the line of Saxe-Gotha, in 1826, part of that dukedom fell to the reigning house of Saxe-Saalfeld-Coburg, which then assumed its present title.

182. Herzogthum Anhalt.—This duchy has a constitution, proclaimed Sept. 17, 1859, and modified by a degree of Sept. 17, 1863, which gives legislative powers to a diet composed of 36 members, 12 representing the nobility and chief landowners, 12 the towns and 12

181. Of Saxe-Coburg-Gotha? Give the history of these states.

182. How is Anhalt governed?

the rural districts. The executive power is entirely in the hands of the duke, who governs through a minister of state.

183. Furstenthum Waldeck.—This principality is governed under a charter granted Aug. 17, 1852. It has an assembly chosen like that of Anhalt, but by the treaty of accession signed between Waldeck and Prussia in 1867, the legislation of the council and the administration of the prince, are confined to strictly local affairs, all national authority being ceded to Prussia.

184. Furstenthum Lippe.—Lippe has a charter of rights granted by its prince in 1836. It has a representative chamber, which has the right of voting in part the supplies. Beyond that the functions of the chamber are chiefly consultative, the prince retaining most of the legislative, as well as all of the executive, power in his own hands.

185. Schaumburg-Lippe.—The government established in this principality under the constitution granted Nov. 17, 1868, is very similar to that of the last-named state, the prince retaining a large share of the legislative power, as well as the right to appoint two of the fifteen members of the diet.

186. Schwarzburg-Rudolstadt and Schwarzburg Sondershausen.—These states are governed by princes of a very ancient and wealthy house, which gave an emperor to Germany in the fourteenth century. In both states the sovereign has granted a constitution,

183. What of the principality of Waldeck?

184. What of that of Lippe?

185. Of Schaumburg Lippe?

186. What is said of the two Schwarzburg states?

giving restricted legislative rights to a diet representing the chief tax-payers and the people generally. The executive power is in both cases wielded by the prince.

187. Reuss-Schleiz and Reuss-Greiz.—In the first-named principality restricted legislative rights are granted to a diet elected by the landowners and the people. In Reuss Greiz a similar concession is made, but the prince appoints one-fourth of the legislature.

The princes of these states are very wealthy, and the greater part of the territory they govern is their own private property.

188. Freie Stadt Hamburg.—The present constitution of the free state of Hamburg was promulgated Sept. 28, 1860; it vests the legislative and executive power in a parliament of two chambers, the senate and house of burgesses. The burgesses are elected by the people for a term of six years; the senators are elected by the burgesses for life. In the election of the 192 burgesses, 84 are chosen by the votes of all tax-paying citizens; 48 are chosen by the chief real estate owners and the remaining 60 members deputed by the various guilds, corporations, and courts of justice. The senate which exercises chiefly, though not entirely, the executive power, is composed of eighteen members, one-half of whom must have studied law, and seven of the remaining nine must belong to the class of merchants. A first and second burgomaster, chosen annually, preside over the meetings of the senate.

189. Freie Stadt Lubeck.—The free state of Lubeck is governed,—under a constitution adopted April

187. Describe Reuss-schleiz and Reuss Greiz.

188. Give the salient points of the government of Hamburg?

189. How is Lubeck governed?

7, 1874,—by a senate and house of burgesses resembling those of Hamburg. The house of burgesses has the initiative in all measures relating to the public expenditure, foreign treaties and general legislation; while the senate, entrusted chiefly with the executive government, has also to give its sanction to the passing of every new law.

190. Freie Stadt Bremen.—Bremen is governed under a constitution proclaimed March 5, 1849, and revised Feb. 21, 1854 by a senate of eighteen members, forming the executive, and the “Convent of Burgesses” of 150 members, invested with the power of legislation. In the election of the burgesses, citizens who have studied at the university return 16 members; merchants 48 members; traders and shop-keepers 24 members, and the other tax-paying citizens the rest. The burgesses elect the senate.

191. Supreme Court.—The high court of appeal for the three free cities of Germany, reorganized in 1870, is stationed at Lubeck. It is composed of a president nominated by the senates of the three free cities, and six councillors, three of whom are chosen by Hamburg, two by Bremen, and one by Lubeck. The duty of supervising the court rests with the senates, each taking it a year in turn.

192. Reichsland Elsass - Lothringen.—Alsace-Lorraine is not a state, but an “Imperial Land”—resembling in position a Territory in the American Union. It is governed by a Statthatter and council of state, all appointed by the German emperor.

190. Describe the constitution of Bremen.

191. What is said of the supreme court of the “free state?”

192. What is Alsace-Lorain and how governed?

193. Other Component States.—Of the states composing the bipartite governments of Austria-Hungary, and Sweden and Norway, we have already spoken. The states of the so-called empires of Austria and Russia are mere provinces. The cantons of Switzerland and the component states of the Mexican and South American republics have more or less perfect autonomy, but have not the same international standing as the German States.

194. Study of Governments.—By the study and comparison of governments, we gain an insight not only into the political rights of the different classes in other nations, but also into the manner in which other governments discharge their duties.

By way of comment it may be noted that the foundation principle in the establishment of popular political rights has been the right of the people to control, through their representatives, the budget or government supply—including both the collection and expenditure of the revenues. The working of this principle is especially noticeable in the German states. The most despotic governments are those of sovereigns possessed of extensive domains in their own right, making them independent of the financial support of the people.

The right of the people to control the revenues of the state is recognized in all liberal governments, but there are still many sovereigns who, though permitting the chamber of deputies to veto or control taxation, retain the full direction of the expenditure.

193. What of other component states?

194. What do we learn by the study and comparison of governments?

PART 4.

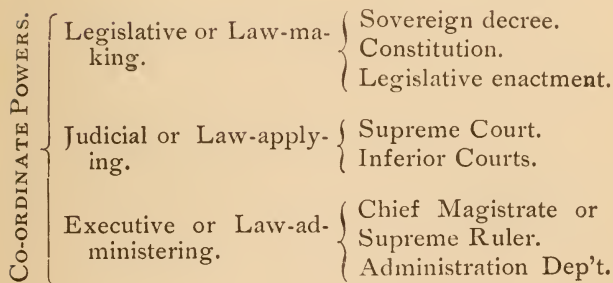
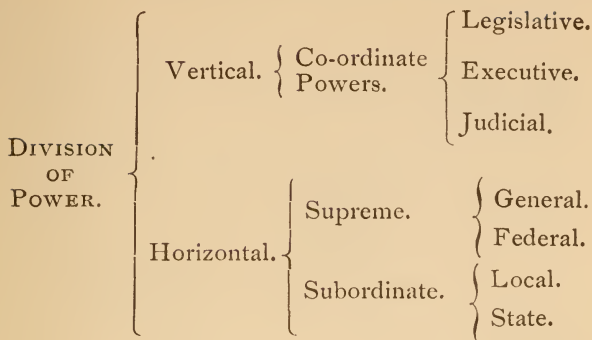
REVIEW OF GOVERNMENTS.

CHAPTER XXII.

BLACKBOARD EXERCISES.

GOVERNMENTS. { Nature.
 { Origin or Basis.
 { Object.

VARIATIONS
 OF
FORM. { Cause of { Monarchical concession.
 { Popular will.
 { Extent. { Monarchical.
 { Democratic.
 { Aristocratic.
 { Bureaucratic.



DEPARTMENTS OF GOVERNMENT.	{	Chief Magistrate.	
		Legislature.	{ Elected. Hereditary. Appointed.
		Executive.	{ Local. General.
		Judiciary.	
CONSTITUTION.	{	Purpose.	{ Restrictive. Definitive.
		Basis.	{ Force. Popular consent.
		Origin.	{ Popular will. Royal concession.
STATES.	{	Sovereign.	{ Suzerain. Independent.
		Autonomous.	{ Tributary. Colonial. Component.
SOVEREIGN STATES.	{	Federations.	{ Republican Unions. Empires. Bi-partite Kingdoms.
		Unified or In- tegral States.	{ Republics. Kingdoms.

FEDERATIONS.	Republics.	United States of America. Mexico.
		United States of Colombia. Venezuela.
	Empires.	Argentine Confederation. Liberia.
		Switzerland.
	Bipartite States.	{ Germany. Austro-Hungary. Sweden-Norway.

FEDERAL ORGANIZATIONS.	Federation or Bundes-staat	{ All Existing Unions.
	Confederation or Staatenbund.	{ Defunct organizations only, as— United States Confederation, Southern Confederacy, German Confederation, Swiss Confederation.

SPANISH-AMERICAN FEDERATIONS.	{	Mexico.	{	Founded, 1823.
			{	No. of States, 27.
			{	Present Constitution, 1857.
			{	Present Ruler ———
	{	Colombia.	{	Founded, 1831.
			{	No. of States, 9.
			{	Present Ruler ———
			{	
	{	Venezuela.	{	Founded, 1831.
			{	No. of States, 21.
			{	Present Const., 1864.
			{	Present Ruler ———
	{	Argentine Confederation.	{	Founded, 1853.
			{	No. of States, 14.
			{	Present Ruler ———
			{	

EUROPEAN FEDERATIONS.	{	Switzerland.	{	Staatenbund from 1308-1848.
			{	Bundesstaat, 1848.
			{	No. States or Cantons, 22.
			{	Present Ruler ———
	{	Germany.	{	Confederation, 1815-1866.
			{	N. German Confed., 1886-71.
			{	Bundesstaat, 1871.
			{	No. of States, 25.
	{		{	Present Ruler ———
			{	
			{	
			{	

EUROPEAN FEDERATIONS—Con.	Austria-Hungary.	Austrian Empire.	{ Founded 1276. Const. granted 1863. No. States, 17. Present Ruler—
		Kingdom of Hungary.	{ United to Austria, 1547. Const., 1867. Present Ruler—
	Sweden-Norway.	{ Union, 1814. Present Ruler ———	

UNIFIED STATES.	Republics.	{ France. Chili. Peru. Bolivia. Ecuador. Guatemala. Honduras. Nicaragua. San Salvador. Costa Rica. Hayti. San Domingo. Paraguay. Uruguay. Andorra. San Marino. Orange Free State.

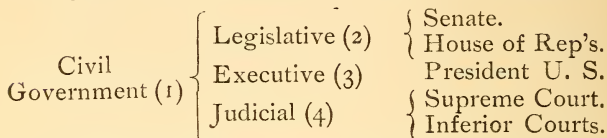
UNIFIED STATES—Continued.	Constitutional. Monarchies.	- Great Britain. - Belgium. - Brazil. - Portugal. - Spain. - Netherlands. - Denmark. - Italy. - Greece. - Servia. - Roumania.
	Despotisms.	- Montenegro. - Russia. - Ottoman Empire. - Persia. - Morocco. - China. - Japan. - Siam. - Afghanistan.
	Minor or Semi-protected States.	- Hawaii. - Tonga. - Sarawak. - Madagascar. - Abyssinia. - Zanzibar. - Borneo.

DEPENDENT STATES.	Tributary States.	- Egypt. - Bulgaria. - Tunis.
	Colonial Dependencies.	- Canada. - Newfoundland. - Cape Colony. - New South Wales. - Victoria. - Queensland. - Tasmania. - New Zealand. - Transvaal.
	Barbarous Protected States.	

COMPONENT STATES.	States of the American Union.
	States of the German Empire.
	Provincial States.

CHAPTER XXIII.

THE GOVERNMENT OF THE UNITED STATES COMPARED WITH THOSE OF OTHER COUNTRIES.



(1) The above diagram is based on the federal government of the United States, and shows what we have styled the vertical division of its powers. The wisdom of this division is generally approved, and in some cases it is adhered to strictly as a vital principle. Thus the Massachusetts Bill of Rights says: "In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judiciary shall never exercise the legislative and executive powers, or either of them; to the end it may be a government of laws and not of men."

It will be noted, however, that this division is not always followed, even in constitutional governments. In the American republics and in other governments in which the constitution is recognized as the creation of the people, there is an effort to prevent the executive from exercising the legislative power, beyond, of course, the usual limited veto. Where, as in the German states, for instance, the constitution is a grant from the crown, a degree of legislative power is reserved to the sovereign, who has usually also an absolute veto, as a check upon the legislature. Where, as in France and England, the legislative body has escaped from its old-time trammels, it usually, through its power over the cabinet of the executive, wields the greater part of the executive power. In such cases, too, the legislature assumes the supreme judicial power, becoming the highest court of appeal in many cases, and not being restricted, as in the United States, by any court's interpretation of the constitution.

(2) As to the division of the legislature into two houses, we have already noted how generally that is made. The primary

object of the division is to restrict the representatives of the people and secure a more careful consideration of the laws. Hence where the senate is chosen by the same constituents that elect the deputies, it is usually chosen in a different way—as in France, for instance, through an electoral college. Or, occasion is taken to give some class a special representation; in the United States the individual states are so favored; in France, the municipalities; in England the aristocracy and the established church; in the German governments, the chief land-holders, the chief tax-payers, the nobility, the church, the towns and the chief institutions of learning.

(3) The chief magistrate of a country usually wields the executive power, with the assistance of his heads of departments or secretaries of state. Where the ministry is “responsible,” however, the chief magistrate is either pushed aside, or restricted, by “advisers” virtually chosen by the chamber of deputies.

(4) The courts under all governments include superior and inferior courts as a matter of course, but where cases may be appealed from the highest court to parliament, or to the sovereign, that court can, of course, lay no claim to be called supreme.

House of Representatives.	{	Representation	{	Apportionment (1)	
				Qualification of voters (2)	
	{	Election	{	Elected when (3)	
				“ how (4)	
				“ for how long	{ 2 years (5) To fill vacancy
	{	Qualification of members (6)			
		Sessions held (7)	{	Regular	
				Special	
	{	Powers & privileges	{	Legislative (8)	{ Exclusive Concurrent
				Investigation and impeachment (9)	
Elective (10)				{ House officers President in certain contingency	

(1) In our country representation in congress is based upon population, and, in most states, all citizens—if of the male sex and twenty-one years of age—are entitled to vote. Assuming that the purpose of voting is to find out the stronger party—the one most likely to win in an appeal to arms—this is the fairest arrangement. But it must be noted that where a superior race, in point of military prowess, is joined with a weaker or inferior one, no such arrangement is thought of. In Canada and Australia, the British colonies are governed by their own representatives, but in British India the English residents would not tolerate a popular government. Where, as in Europe, the governments have not reached a democratic basis for their representation, many diversities in apportionment remain. The smaller municipalities, the rural districts influenced by the chief land-owners, and the universities, are the localities usually favored.

(2) In granting the suffrage the States of our Union have full control except so far as restricted by the 14th and 15th amendments. Some little difference therefore exists in the qualification of voters in the different states, but, generally speaking, all adult male citizens are voters unless disqualified as criminals or paupers. The states may, and sometimes do, demand an educational or property qualification, or they may make the right to vote depend on the payment of a certain sum as a property tax or poll tax. In the Spanish American republics, Liberia, France and Switzerland, manhood suffrage is the rule, as it is also in the choice of the single chamber of Greece. In Austria, Italy, Roumania and Norway, voters must have reached their twenty-fifth year, and in Denmark no one under thirty is considered qualified for the suffrage. Property or tax-paying qualifications are demanded in Belgium, England, Italy, Holland, Portugal, Spain, Servia, Sweden and Norway, and many of the German states.

(3) Election of representatives must be held every second year, though election day need not be the same in all the states. In countries where the term of office is fixed, the date of election is approximately set, but where the chief magistrate has power to dissolve the legislature, it is usually provided that a general election be held within a fixed period after dissolution.

(4) Elections are in this country held by popular suffrage under the secrecy of the ballot, so that we are apt to forget that the ballot is a modern invention, still on trial in England. The election, too, is sometimes complicated by the device of

the electoral college, employed in what are called indirect elections. Custom has made our presidential election virtually a direct expression of the people's will, since electors always vote for their party candidates, but in other countries this is not the case. Where electors are numerous, vote in secret or by ballot, or where they are *ex officio* electors (as the members of the legislature are in selecting a senator), they still exercise full power of choice.

Second elections are more or less a mystery to us, as we are accustomed to regard a popular election as final, whether the successful candidate receives a majority of the votes cast or only a plurality. In some cases, too, a second ballot may be called for because the candidate has not received a majority of the registered vote, a light vote only having been cast.

(5) Our two years' term for representatives in congress is short compared with that established in other countries, as will be seen by the following data: Great Britain elects for 7 years; Austria for 6; Spain and Italy and Canada for 5; Belgium, France, Greece, Holland, Portugal, Roumania, Argentine Confederation and Brazil for 4; Hungary, Denmark, Germany, Servia, Sweden and Norway, Switzerland and Chili for 3; and Mexico and some minor states for 2 years.

Vacancies are generally filled by special election, but sometimes, as in this country, by executive appointment.

(6) All restriction placed upon the choice of the people is at variance with the principles of democracy, yet we have several restrictions imposed on us. We can elect no representative under twenty-five years of age, nor any one resident in some other state, nor one who has not been for seven years a citizen of the United States. We are also restrained by the disability imposed by the 14th amendment, where such disability has not been removed by act of congress. Further, after we have selected an eligible representative, he may be excluded by the arbitrary decision of his fellow members. In this regard, however, we are not worse off than the citizens of other states, unless it be the Swiss, who can elect any voter—any man over twenty years of age, provided he is "not a clergyman," or the English, who can elect any voter residing in any part of the kingdom. We have the advantage of the English voter in the fact that as our government pays members of its congress, we may vote for a poor man without being concerned as to his means of support. The restriction as to age is imposed by European governments, Belgium, Denmark and Spain de-

manding 25 years; Italy, Roumania and Norway 30 years, and Sweden 35 years. Most of these states not only do not pay members, but even demand that they be possessed of an income from property or from one of the learned professions.

In republics, the congress or parliament has a recognized right to assemble according to the law or agreement made by itself or by some previous congress, or when convened by the chief magistrate or some executive officer, or, indeed, informally of its own will, in the absence of a set time. In England, however, and in other monarchies, parliament must await the summons of the crown.

(8) The federal house of representatives has not only an equal voice with the senate in the passage of laws, but it has sole power to originate bills for raising revenue. A similar provision is made by the law of England, which gives the people's representatives the right to originate all bills regarding the levying of taxes or expenditure of revenue. In Belgium the deputies have similar rights, and also the initiative in measures relating to the contingent of the army. In Denmark the government may frame the revenue laws, but the lower house must have the first vote on them. At present there is a struggle between the folkething and the crown, and no appropriation bills can be passed. The King has decreed an "extraordinary budget," claiming the right to do so, and being supported in his claim by the upper house of parliament. Financial laws must first be presented to and voted on by the chamber of deputies, in France, Italy, the Netherlands and Portugal. In Germany the right belongs to the upper house, and in Spain to both houses.

(9) The right to investigate belongs to all law-making bodies. The exclusive right to impeach is another matter, and it was vested in the house, we may presume, because the senate was to constitute the court that tried the case. Generally speaking, the right to impeach is acknowledged, but it is expressly denied the German Reichstag.

(10) The right to select its own officers belongs to all chambers of deputies. The right to settle a presidential dispute by selecting one of the candidates, was given to our federal house as the proper recipient of such a trust—supposing a new election to be inadvisable.

Senate.	{	How composed (1)	{	Elected members.	
				Hereditary	" (2)
				Appointed	"
				Ex officio	"
{	Election (3)	{	By whom (4)		
			When and how		
			Term	6 years	
				To fill vacancy	
{	Qualifications (5)	{	Age		
			Citizenship		
			Official disencumbrance (6)		
{	Powers	{	Legislative (7)		
			Executive		
			Elective (8)		
			Judicial		

(1) The senate of the United States is composed of two senators from each state, elected for a term of six years by the state legislatures. As the purpose of the senate is to act as a check upon the popular will, rather than to represent the people, it was natural that the framers of the constitution should seek some mode of selection other than popular choice. In the state governments of our Union and the South American republics, where the senator differs from the representative (in most cases) simply by being the choice of a larger constituency, the upper house is likely to be merely a higher grade of the lower one. A more rational process of obtaining the same result is that in vogue in Norway, where the senate is composed of one-fourth of the storting—differentiated, as it were, by natural selection or by the mysterious "deaconing" process, which brings the big apples to the top of the basket—the classification taking place after the storting has assembled.

(2) In this country senators are elected—as they are in all republics—but in the European monarchies we find antiquated types—senators, or peers, by hereditary right, or by virtue of

office. Since the parliament was originally an assembly of chieftains to oppose or control the king, it naturally contained the chief ecclesiastical functionaries, admitted by virtue of their office, and also the heads of clans, who though perhaps not distinguished in themselves, were yet powerful through their hereditary claims on the allegiance of their clans. Hence even at this late day, the peer often, as John Bright puts it, "enters the hall of legislation through the vault of some dead ancestor," or is received because he had been selected for some high ecclesiastical office—a very different position from that of a lawmaker. The representative peers, whether selected, as in Scotland, by the nobility, or, as in some European states, by the universities, occupy a very different position; they represent a class, and are held responsible for their action by that class. The responsibility is an essential point; where peers are appointed for life—whether by the vote of the nobility (as in Ireland) or by the vote of the people (as in Brazil) or by the simple mandate of the king, as in a half dozen different states, they lose a large share of their representative character. The proposal recently made in this country to give ex-presidents a senatorial position for life, is open to the same objection. The recent change in the French constitution paved the way for the gradual abolition of life senatorships in that country; as all vacancies by death or resignation will hereafter be filled for nine years only.

(3) As to the specific composition of the upper house in the different European monarchies, it may be noted that at the beginning of 1885 the Austrian Herrenhaus contained 66 hereditary, 17 ex-officio, and 105 life peers, and the Hungarian house of magnates, 699 hereditary and 50 ex-officio peers, as well as two elected to represent the province of Croatia. (A reform bill, reducing the number of hereditary peerages, was introduced during the year.) The Belgian senate contained 69 members—one-half the number of the house of deputies—elected for 8 years by the direct vote of the people. The Danish Landsting contained 12 life members and 54 eight-year members chosen by an indirect election favoring the chief taxpayers. The French senate originally had 75 life senatorships—two vacancies have occurred since the constitutional amendment of last August, reducing this class to 73 and raising to 227 the number of the senators chosen for nine years by indirect election. The German Bundesrath contained 62 memberships, apportioned among the several states according to their

importance. The British house of lords contained 442 hereditary, and 26 ex-officio peers, as well as 28 Irish peers elected for life and 16 Scotch peers elected for the duration of parliament. The Italian senate consisted of the princes of the royal house who are of age, and an unlimited number of members appointed for life by the king. The Netherlands senate contained 39 members elected for nine years by the provincial states "from among the most highly assessed inhabitants of the provinces." The Portuguese house of peers contained 150 members appointed for life by the crown. Of the Spanish senate, one-half—180—were either hereditary ex-officio or life peers by royal grant, and the others were elected by the "corporations of state, *i. e.*, communes, churches, universities, etc. The Roumanian senate had 120 members elected for 8 years; that of Sweden is elected for a term of nine years. The time and manner of electing United States senators is fixed by act of congress of July 26, 1866. The voting begins the second Tuesday after organization, when each house names, *viva voce*, its choice for senators. If the choice of the two houses voting separately falls upon the same man, he is of course elected. If the houses disagree they unite and form a joint assembly, and the person receiving a majority vote of this assembly is declared elected. This, however, is mere regulation, the point being to secure the choice of the majority of the assembly.

(4) We have noted above, the differences in the constituencies of senators and in the length of their terms. The mode of election is much the same, except in Brazil, where, it may be noted, the constituents elect three senatorial candidates from whom the emperor selects one.

(5) The qualifications demanded of elected or appointed senators are usually those of advanced age and citizenship and in most countries a profession or independent income from property. In Italy it is demanded that a senator shall have filled a high office or be prominent in some worthy profession, or that he should pay a high rate of taxes.

(6) The prohibition against a senator's holding a government position is not usual. Many persons base their claims to a seat in the upper house on their holding an office under the government, and a still greater number of the hereditary peers depend on official salaries for their support. Direct payment of members of the upper house is not customary in monarchies.

(7) Theoretically, the senate has equal powers with the house in lawmaking, except in originating finance bills, but in some

cases, as in England, for instance, precedent requires the upper house to yield if the house of commons is persistent in urging the passage of a bill. Executive duties are given to our federal senate in order that it may act as a check upon the president. In the German Reichstag and the German "free states" the upper house is a ministerial as well as a legislative body, and has full charge of the executive department.

(8) The United States senate is given power to elect the vice-president in case the electoral college fails to elect one—just as it is made the high court for the trial of impeachment cases, because it seems most fit to be trusted with those powers and not because they pertain to a lawmaking body.

SPHERE OF FEDERAL ACTION. (I)

Powers Granted by U. S. Constitution.	Raise money (2)	{	Taxation {		Direct		
					Indirect		
	Expend money (3)	{	Borrowing	{		Bonds	
						Legal tender	
		{	Pay debts	{		Legal claims	
						Moral claims	
	Regulate	{	Directly or Indirectly	{			Provide for general welfare
							Commerce, coinage, weights and measures
	Provide laws for	{	Naturalization				
			Bankruptcy				
Copyrights and patents							
Government of territory							
Admission of new states							
Punish	{	Offenses against the Nation					
		International offenses					
Establish and	{	Postoffices, etc.					
		Courts at law					
Maintain	{	Army and navy					

POWERS INHERENT IN STATE GOVERNMENT.

Granted by State Constitution.	{	Subject to act of Congress	{	Ordinary legislation where not prohibited by U. S. Constitution
		Not subject to acts of Congress		All powers not granted to congress or pro- hibited to states.

(1) The division of power between general and local authorities exists in all states, but in federations the division is more marked. The Austro-Hungarian Delegations has its power limited to "foreign affairs and war." The German parliament, though by no means so restricted, is kept to the consideration of imperial matters only. The same is true of the federal republics. In unified states, the only check upon the intermeddling of the general government in local affairs is custom or the charter which may have been granted to the local corporation.

(2) There is no legal restriction to prevent a sovereign state's raising any amount of money. Minor states—some of the states of our Union, and certain dependencies, as, for instance, Egypt, are bound either by self imposed laws or engagements with foreign powers.

(3) Strictly speaking, congress has no constitutional right to *give away* money, though it is often done, congress being sole judge of the moral claim. No such restriction is placed upon any other sovereign state.

[For more definite information concerning the details of our federal government, the student is referred to the excellent works of Calvin Townsend and A. W. Young.]

The greatest difference in governments is in regard to the

personal rights guaranteed to citizens in dealing with the civil authority. The peculiarities of the different states in that regard are so manifold, indeed, that it would take a book to describe them. We shall not attempt any such description here, since it scarcely belongs to a study of the forms of government, but rather to a consideration of customs and methods of administration.

CHAPTER XXIV.

RULERS OF THE WORLD.

FEDERATIONS.			
NAME OF COUNTRY.	NAME OF RULER.	DATE OF ACCESS'N.	Term of Office.
Argentine Republic,	D. Julia A. Roca.	Oct. 12, 1880,	6 yrs.
Austria-Hungary,	Franz Josef I,	Dec. 2, 1848,	-----
Colombia,	Rafael Nunez,	April 1, 1884,	2 "
Germany,	William I,	Jan. 18, 1871,	-----
Liberia,	H. R. W. Johnson,	Jan. 7, 1884,	2 "
Mexico,	Porfirio Diaz,	Dec. 1, 1884,	4 "
Switzerland,	Charles Schenck,	Jan. 1, 1885,	1 "
Sweden & Norway,	Oscar II,	Sept. 18, 1872,	-----
United States,	Grover Cleveland,	March 4, 1885,	4 "
Venezuela,	Joaquin Crespo,	April, —, 1884,	2 "

UNIFIED OR INTEGRAL STATES.

I. REPUBLICS			
Bolivia,	Gregorio Pacheco,	Dec. 3, 1884,	4 yrs.
Chili,	D. Santa Maria,	Sept. 18, 1881,	5 "
Costa Rica,	P. Fernandez,	Aug. 10, 1882,	4 "
Ecuador,	Senor Caamano,	Feb. 10, 1884,	4 "
France,	P. Jules Grevy,	Jan. 30, 1879,	7 "
Guatemala,	Senor Sirrivaldy,	April —, 1885,	-----
Hayti,	Gen. Salomon,	Oct. 23, 1879,	4 "
Honduras,	Luis Bogran,	Nov. —, 1883,	4 "
Nicaragua,	Adam Cardenas,	Jan. —, 1883,	4 "
Orange Free State,	Sir John H. Brand,	Dec. —, 1883,	4 "
Paraguay,	B. Caballero,	May —, 1881,	4 "
Peru,	Miguel Iglesias,	Oct. 20, 1883,	4 "
San Domingo,	Francisco Bellini,	July —, 1884,	4 "
San Salvador,	Gen. Figuerda,	April —, 1885,	4 "
Uruguay,	Maximo Santos,	Mar. 1, 1882,	4 "

2. CONSTITUTIONAL MONARCHIES.

NAME OF COUNTRY.	NAME OF RULER.	DATE OF ACCESS'N.
Belgium,	Leopold II,	Dec. 10, 1865.
Brazil,	Dom Pedro II,	April 7, 1831.
Denmark,	Christian IX,	Nov. 15, 1863.
Great Britain,	Victoria,	June 20, 1837.
Greece,	Georgios I,	Nov. —, 1863.
Holland,	William III,	Mar. 17, 1849.
Italy,	Umberto I,	Jan. 9, 1878.
Portugal,	Luis I,	Nov. 11, 1861.
Roumania,	Carol I,	May 22, 1866.
Servia,	Milan I,	Aug. 22, 1872.
Spain,	Alphonso XII,	Jan. 9, 1879.

3. DESPOTISMS.

China,	Tsaiteen,	Jan. 22, 1875.
Japan,	Mutsu Hito,	Jan. 22, 1867.
Montenegro,	Nicholas I,	Aug. 14, 1860.
Morocco,	Muley-Hassan,	Sept. 17, 1873.
Persia,	Nassr-ed-Din,	Sept. 10, 1848.
Russia,	Alexander III,	Mar. 13, 1881.
Siam,	Chulalon Koru I,	Oct. 1, 1868.
Turkey,	Abdul Hamid II,	Aug. 31, 1876.

MINOR STATES.

Hawaii,	Kalakaua I,	Feb. 12, 1874.
Tonga,	George,	-----
Sarawak,	Sir Chas. J. Brooke	—, 1868.
Madagascar,	Ranavalona III,	July 13, 1883.
Abyssinia,	Johannes II,	—, 1872.
Zanzibar,	Bargash bin Said,	Oct. 7, 1870.
Borneo,	Abdul Mumein,	-----

DEPENDENT AND COMPONENT STATES.

Tunis,	Bev Sidi Ali,	Oct. 28, 1882.
Egypt,	Mohamed Tewfik,	June 26, 1879.
Bulgaria,	Alexander I,	April 29, 1879.
Transvaal,	S. J. Paul Kruger,	April —, 1883, 5 yrs.

AUTONOMOUS COLONIAL DEPENDENCIES.

Domin'n of Canada,	Marq of Lansdoune	Aug. 18, 1883.
Newfoundland,	Sir John H. Glover,	-----
Natal,	Sir Henry Bulwer,	Jan. —, 1882.

NAME OF COUNTRY.	NAME OF RULER.	DATE OF ACCESS'N.
Cape Colony,	Sir H. G. Robins'n,	Dec. —, 1880.
New South Wales,	Lord Loftus,	May 3, 1879.
Victoria,	Sir Henry Loch,	April 10, 1884.
So. Australia,	Sir Wm. Robins'n,	Nov. —, 1882.
Queensland,	Sir A. Musgrave,	April —, 1883.
Tasmania,	Sir G. Strahan,	Aug. —, 1880.
New Zealand,	Sir Wm. Jervois,	Nov. —, 1882.

STATES OF THE GERMAN CONFEDERATION.

Bavaria,	Ludwig II,	Mar. 10, 1864.
Wurtemberg,	Karl I,	June 25, 1864.
Saxony,	Albert I,	Oct. 29, 1873.
Baden,	Friedrich I,	April 24, 1852.
Mecklen'g-Schwerin	Friedrich Franz III	April 15, 1883.
Hesse,	Ludwig IV,	June 13, 1877.
Oldenburg,	Peter I,	Feb. 27, 1853.
Saxe-Weimar,	Karl Alexander,	July 8, 1853.
Mecklenb'g-Strel'tz,	Friedr'h Wilhelm I	Sept. 6, 1860.
Brunswick,	Vacancy,	-----
Saxe-Meiningen,	Georg II,	Sept. 20, 1866.
Anhalt,	Friedrich,	May 22, 1871.
Saxe-Coburg-Gotha.	Ernst II,	Jan. 29, 1844.
Saxe-Altenburg,	Ernst,	Aug. 3, 1853.
Waldeck,	Georg Victor,	May 14, 1845.
Lippe,	Waldemar,	Dec. 10, 1875.
Schwarzb'g-Rud'adt,	Georg,	Nov. 26, 1869.
Schwarzb'g-Son'sen,	Karl II.	July 17, 1880.
Reuss-Schleig,	Heinrich XIV,	July 10, 1867.
Schaumb'g-Lippe,	Adolf,	Nov. 21, 1860.
Reuss-Greiz,	Heinrich XXII,	Nov. 8, 1859.

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